

**OFFICIAL REPORT OF PROCEEDINGS**  
**BEFORE THE**  
**NATIONAL LABOR RELATIONS BOARD**

---

In the Matter of: Case No.: 03-CA-295810

STARBUCKS CORPORATION,

Respondent,

And

WORKERS UNITED,

Charging Party.

---

---

Place: Buffalo, New York  
Dates: April 17, 2023  
Pages: 1 through 168  
Volume: 1

OFFICIAL REPORTERS

**BURKE COURT REPORTING, LLC**

64 Magnolia Place  
Wayne, NJ 07470  
(973) 692-0660

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

BEFORE THE  
NATIONAL LABOR RELATIONS BOARD  
-----: Case No.:  
In the Matter of: 03-CA-295810  
STARBUCKS CORPORATION :  
Respondent, :  
And :  
WORKERS UNITED :  
Charging Party. :  
-----:

The above-entitled matter came on for hearing pursuant to notice, before ROBERT RINGLER, Administrative Law Judge, at the National Labor Relations Board, Region 3, 130 S Elmwood Avenue Suite 630 Buffalo, New York 14202-2465, on Monday, April 17, 2023, at 1:03 p.m.

## A P P E A R A N C E S

On Behalf of the General Counsel:

DANIEL GOODE

ABIGAIL SNELLING

NATIONAL LABOR RELATIONS BOARD, REGION 3

130 S Elmwood Avenue, Suite 630

Buffalo, NY 14202-2465

(716) 551-4931

On Behalf of the Employer:

EATHAN BALSAM

WILLIAM WHALEN

KIMBERLY J. DUPLCHAIN

JERRY WALTERS

Littler Mendelson P.C.

815 Connecticut Avenue NW, Suite 400

Washington, D.C. 20006

(202) 789 3424

On Behalf Charging Party/Union:

MICHAEL DOLCE

Hayes Dolce

135 Delaware Avenue, Suite 502

Buffalo, NY 14202

mdolce@hayesdolce.com

1	I N D E X					
2	WITNESS	DIRECT	CROSS	REDIRECT	RECOSS	VOIR DIRE
3	VICTORIA CONKLIN	44	120	157	163	97
4		115	--	--	--	125
5		--	--	--	--	131
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						

1	E X H I B I T S		
2	EXHIBITS	IDENTIFIED	RECEIVED
3	GENERAL COUNSEL'S		
4	GC-1	7	7
5	GC-2	50	51
6	GC-3	64	67
7	GC-4	90	90
8	GC-6	108	110
9	GC-7	108	110
10	RESPONDENT'S		
11	R-2	121	122
12	R-3	123	125
13	R-4	131	131
14	R-5	133	135
15	R-6	142	143
16	R-7	151	151
17			
18			
19			
20			
21			
22			
23			
24			
25			

## P R O C E E D I N G S

(Time Noted: 1:03 p.m.)

JUDGE RINGLER: Okay. Let us get started. So this is our -- our hearing is in order. This is our Starbucks Corporation case. We've got about eight or 10 case numbers. I'll just read off the first case 03-CA-295810. I am Judge Robert Ringler. I don't know who this gentleman is in the background, but we're on the record. Sir, we're on the record. Okay. All right.

So as I said, Starbucks Corporation 03-CA-295810. I'm Judge Robert Ringler, pleasure to make everyone's acquaintance in person. I'm assigned to the DC Division of Judges, hence, any communication should go to that office, but I think you folks already know that at this point. Let's serve our appearances for the record. For the GC.

MR. GOODE: Daniel Goode D-a-n-i-e-l G-o-o-d-e, on behalf of the General Counsel.

JUDGE RINGLER: All righty.

MS. SNELLING: Okay. Abigail Snelling for the GC, A-b-i-g-a-i-l, last name S-n-e-l-l-i-n-g.

JUDGE RINGLER: All right. Very good. And --

MR. DOLCE: Michael Dolce from Hayes Dolce, M-i-c-h-a-e-l D-o-l-c-e, for Charging Party, Workers United.

JUDGE RINGLER: All righty. And for Respondent, who do we have?

1 MR. BALSAM: Ethan Balsam, B-a-l-s-a-m, we're all from  
2 Littler Mendelson, on behalf of Starbucks Corporation.

3 JUDGE RINGLER: All right.

4 MR. WHALEN: William Whalen, W-h-a-l-e-n, on behalf of the  
5 Respondent with Littler Mendelson.

6 JUDGE RINGLER: All right.

7 MS. DUPECHAIN: Kimberly Duplechain D-u-p-l-e-c-h-a-i-n.

8 JUDGE RINGLER: One more time, I'm sorry.

9 MS. DUPECHAIN: D-u-p-l-e-c-h-a-i-n.

10 JUDGE RINGLER: C-h-a-i-n.

11 MS. DUPECHAIN: For Starbucks, Respondent with Littler  
12 Mendelson.

13 JUDGE RINGLER: All righty.

14 MR. WALTERS: Jerry Walters J-e-r-r-y, last name W-a-l-t-  
15 e-r-s, on behalf of Respondent, Starbucks.

16 JUDGE RINGLER: Okay. Also with Littler as well?

17 MR. WALTERS: Correct.

18 JUDGE RINGLER: All righty. Very good. Okay. So we're  
19 set with our appearances for the record. Let's start with our  
20 formal papers.

21 MR. GOODE: Judge, I circulated our formal papers by email  
22 this morning to the parties. They are marked 1VVVV, V as in  
23 Victor, that's 1VVVV with 1VVVV being the index and formal  
24 description of the formal papers. They are inclusive and at  
25 this time, Judge, I would offer those formal papers into the

1 record.

2 JUDGE RINGLER: Any objection to GC-1?

3 MR. BALSAM: No objection, Judge. I will note that we  
4 would like to add to those formal papers. We have additional  
5 documentation that we think needs to be part of the record that  
6 we'd like to offer --

7 JUDGE RINGLER: Well, let me do this. I'm going to admit  
8 GC-1. If there's other exhibits, you can make them Respondent  
9 exhibits.

10 (General Counsel's Exhibit 1 is identified and received.)

11 JUDGE RINGLER: So what are you proposing you'd like to  
12 add to the formal papers?

13 MR. BALSAM: So Judge, just a few minutes ago, we sent an  
14 email around with documents that were not included as part of  
15 the Counsel for the General Counsel's formal papers, including  
16 a variety of motions and orders that were issued. So we'd like  
17 to include those as well.

18 JUDGE RINGLER: Okay.

19 MR. BALSAM: The email to that effect.

20 JUDGE RINGLER: So I bet you I received the email when I  
21 was driving over from the hotel.

22 MR. BALSAM: You probably got it six minutes ago.

23 JUDGE RINGLER: Okay. So I have not seen it yet. I  
24 didn't even start the computer up yet.

25 MR. BALSAM: Correct.



1 JUDGE RINGLER: So for now, let's put that on hold. I'll  
2 look at the email during a break or this evening. Do you have  
3 paper copies?

4 MR. BALSAM: If that was something you would like, we were  
5 trying to avoid printing them out.

6 JUDGE RINGLER: Not necessarily. If you had them now, I  
7 could look now and deal with it more promptly. But other than  
8 that, I'll look at the email.

9 MR. BALSAM: Okay. Fair enough.

10 JUDGE RINGLER: So I'll take a note of that.

11 MR. GOODE: Judge, I would just like to note for the  
12 record that the formal papers do include ALJ Exhibit 1, which  
13 you had marked as your sequestration order.

14 JUDGE RINGLER: Yes.

15 MR. GOODE: So just --

16 JUDGE RINGLER: Yeah. I asked you to do that, so I  
17 figured that would be in there. But thank you. I appreciate  
18 you pointing that out. Okay. So I will take a look at your  
19 email. And just specifically what are the just kind of broad  
20 summary of what I'm looking at that was not included.

21 MR. GOODE: I'm opening the email now, Judge.

22 JUDGE RINGLER: Okay.

23 MR. GOODE: The third consolidated complaint, I believe  
24 our answer to that, the subpoenas that the Counsel for General  
25 Counsel served on the Starbucks Corporation, our petitions to

1 revoke documents along -- and I believe, and additional email  
2 correspondence between the parties relating to those motions  
3 and orders.

4 JUDGE RINGLER: All right. So let me take a look at that.  
5 I mean, it would be my inclination that the underlying subpoena  
6 stuff, the PTR, and underlying email, that would be a  
7 Respondent exhibit. That would be my inclination. But I'd be  
8 surprised if the answer to the third consolidated complaint was  
9 not in the formal papers. Is that accurate? Because that we  
10 would obviously put in. 0:08:19.3

11 MR. WHALEN: It was the answer to the first complaint, not  
12 the third complaint.

13 JUDGE RINGLER: Oh, to the first.

14 MR. WHALEN: Yeah.

15 JUDGE RINGLER: Okay. I think I wrote down the third.

16 MR. GOODE: That's definitely an oversight on my part.  
17 I'm happy to correct that and include that in.

18 JUDGE RINGLER: Okay. So why don't you work on that,  
19 include that in, so that part will take care of, that belongs  
20 in there for sure. The underlying discovery stuff that would  
21 typically be a Respondent exhibit, at least the way I deal with  
22 it.

23 MR. GOODE: Fair enough.

24 JUDGE RINGLER: But either way, you'll get it in. So  
25 we're fine on that front. All right. So we've got our formal

1 papers taken care of. Got homework for our GC of our answer.  
2 Are there any preliminary motions or other issues we've got to  
3 deal with before we jump into our opening statements?

4 MR. GOODE: Judge, I have several. And I can just go one  
5 by one if you would like.

6 JUDGE RINGLER: Yeah, why don't you do that?

7 MR. GOODE: The first one is just for witness scheduling  
8 purposes, just trying to get an understanding of what your days  
9 typically look like, what time we'll begin, what time it'll  
10 end?

11 JUDGE RINGLER: My expectation today would be till 6.

12 MR. GOODE: Okay.

13 JUDGE RINGLER: And roughly tomorrow would be 9 to  
14 6.

15 MR. GOODE: 9 to 6. Okay.

16 JUDGE RINGLER: Thought being that if we're in the middle  
17 of a witness and it's five to 6, if we can finish in 20  
18 minutes, we'll stay longer. If it's 5:45 and we're done, then  
19 we'll end.

20 MR. GOODE: Okay.

21 JUDGE RINGLER: That kind of deal.

22 MR. GOODE: Okay. And I'll just apologize at the outset,  
23 Judge. We have one witness scheduled for today. We had  
24 another dealing with a -- we just recently learned a family has  
25 severe family medical issue that that witness apparently can't

1 be here today. So I don't know that we'll make it to 6 today,  
2 so I do apologize.

3 JUDGE RINGLER: Well, if it's quitting time at 4, you're  
4 going to have to find another witness. So I'm letting you  
5 folks know that right now.

6 MR. GOODE: Okay.

7 JUDGE RINGLER: Yeah. And the thought being not to be  
8 difficult. If this were a two-week -- a two-day trial, rather,  
9 I'd be like, okay, that's fine. But given that we're talking  
10 about the GC's half of the case may be lasting two weeks,  
11 Respondent's another couple of weeks. We've got to be more  
12 diligent with the time, and use it to our benefit.

13 MR. GOODE: Okay. Judge, I will do my best to get  
14 somebody here. I apologize. Okay. So Judge, your  
15 sequestration, we have a question regarding your sequestration  
16 order --

17 JUDGE RINGLER: Yes.

18 MR. GOODE: -- and the scope of your order. There's  
19 discussion of this case publicly and we're wondering if you can  
20 give us an understanding of the scope of your sequestration  
21 order as it applies to potentially any statements made in a  
22 public forum.

23 JUDGE RINGLER: I will give some thought to that and get  
24 back to you on that front.

25 MR. GOODE: Okay.

1 JUDGE RINGLER: So specifically, what are we talking  
2 about?

3 MR. GOODE: Well --

4 JUDGE RINGLER: I mean, if we're talking about a witness  
5 who has testified, then making a public statement about their  
6 testimony, I mean, I think that would be potentially a  
7 violation of the sequestration order. So if you're aware of  
8 that, I think that's something that you should advise your  
9 witnesses not to do.

10 MR. GOODE: Okay.

11 JUDGE RINGLER: I mean, does that cover your question?  
12 I'm not really sure. I don't think you're looking for me to  
13 just sit here and talk about sequestration order. So  
14 specifically, --

15 MR. GOODE: No.

16 JUDGE RINGLER: -- what else is your concern?

17 MR. GOODE: No, I didn't know -- I mean, there's  
18 discussion of the subject matter, I guess, of the complaint.  
19 So does that -- any statements --

20 JUDGE RINGLER: So the sequestration order relates --

21 MR. GOODE: Just so I understand what I need to police,  
22 Your Honor.

23 JUDGE RINGLER: Right. You've got to police your  
24 witnesses specifically, and that's, I think, your obligation on  
25 the sequestration order.

1 MR. GOODE: Okay.

2 MR. BALSAM: Judge, may I speak to that?

3 JUDGE RINGLER: Sure. Go ahead.

4 MR. BALSAM: Because we also have a concern about the  
5 sequestration order as drafted. There are spectators in the  
6 room today. We have -- there has been a tendency for Workers  
7 United and members affiliated with Workers United to record  
8 conversations. We request that your sequestration order  
9 prohibit anybody who's in this room from using their phones to  
10 make a recording of this proceeding. And also from using that  
11 in the public realm, including witnesses, for example, who may  
12 be going on to social media to talk about their testimony.

13 JUDGE RINGLER: All right. So I will let the folks know  
14 that if somebody intends to record something, they've got to  
15 put it to the court's attention. This is a public proceeding.  
16 Everyone could be here. But if there's an intention to record  
17 something, I would request that that be brought to my attention  
18 specifically so we can deal with it on a case by case basis.

19 It certainly is a public proceeding. I want people to  
20 participate. I want people to see what's going on. They're  
21 open proceedings. That's very important for the courts and  
22 democracy, and all of that. But if there's a surreptitious  
23 recording, that would be something that you'd have to bring to  
24 the court's attention. So I've mentioned it to the folks in  
25 our audience. It would be my expectation that Counsel, if

1 there are new folks in the audience, that Counsel would do  
2 Counsel's best to police that.

3 MR. BALSAM: One more point on that, Judge.

4 JUDGE RINGLER: Yes.

5 MR. BALSAM: Because there are going to be spectators  
6 coming, some of which may be witnesses in this proceeding. We  
7 would request that they identify themselves as they enter the  
8 courtroom to ensure that --

9 JUDGE RINGLER: So I don't know if there's a necessity for  
10 the spectators to identify themselves. But it would be my  
11 expectation once again, that Counsel turn around and you say,  
12 hey, I've got Wednesday's witness back there, that it is  
13 Counsel's obligation to police to sequestration order and let  
14 witnesses know. If all the folks that are sitting back there,  
15 and I'll take your representation, are non-witnesses, that's a  
16 hundred percent fine from my standpoint. Is that the case?  
17 Take a look, make sure.

18 MS. SNELLING: One current, the party rep for the Union is  
19 going to take the stand after we do our opening statements, and  
20 she's currently in the room, but that --

21 JUDGE RINGLER: And that's more than fine.

22 MS. SNELLING: Okay.

23 JUDGE RINGLER: All right. But beyond that, you've looked  
24 and you're satisfied that we don't have any other witnesses in  
25 the back of the room; is that correct?

1 MS. SNELLING: Yes. Yes, Your Honor.

2 JUDGE RINGLER: Okay. Good. All right. Did you have  
3 other concerns?

4 MR. GOODE: I just have I think a couple other, Judge. So  
5 this is related to Respondent's motion in limine and your email  
6 response to us, Your Honor. I'm trying to get a better  
7 understanding of Your Honor's, I guess, ruling or position on -  
8 -

9 JUDGE RINGLER: Sure.

10 MR. GOODE: -- the Buffalo 1 record. So I think from the  
11 General Counsel's perspective, we see this complaint as a  
12 continuation of Buffalo 1. We have probably at least 10,  
13 potentially more, of the exact same witnesses. We are dealing  
14 with I think the exact same stores, many of Respondent's exact  
15 same players. There's going to be, from what I understand,  
16 some testimony that just simply picks up where it was left off  
17 in Buffalo 1.

18 And Your Honor, I understand that the record is  
19 voluminous. But we are simply -- we were prepared to ask  
20 simply that whether it's taking judicial notice of the record,  
21 incorporating by reference, however it might be, we would not  
22 intend that Your Honor be any way required to read through it  
23 as part of this case.

24 But we believe there's evidence in there that's already  
25 been presented in a board hearing and subject to cross



1 examination. It's facts that we believe are relevant to these  
2 proceedings. And if that record is not available to us just to  
3 simply cite to, not for Your Honor to have to go through and  
4 read the whole thing, but if it's not available to us, then  
5 we're effectively going to have to be re-litigating facts that  
6 have already been put into a record.

7 JUDGE RINGLER: I understand that.

8 MR. GOODE: And so we're going to ask that Your Honor take  
9 judicial notice of that record. Again, just you give it  
10 whatever weight that you're going to accord it.

11 JUDGE RINGLER: Okay. So here's the problem with that.  
12 Once we get to the point where Judge, here's this big stack of  
13 paper, and I'm showing about a foot long or so, I now have an  
14 obligation to course through that and relive a history that  
15 might not be necessary for me to decide this case. So I'm not  
16 going to do that.

17 Now, if there are exhibits that you offered in the earlier  
18 case and you need to offer such exhibits again, happy to let  
19 you do that. If there's a witness that you might have asked  
20 them some of the same background questions, obviously, if I'm  
21 not going to let you say, hey, Judge, here's the transcript,  
22 admit the transcript in its entirety, you're certainly allowed  
23 to ask the witness those same background questions. That's  
24 fine.

25 I just don't want to get into the standpoint where I don't

1 know quite where you're coming from because I'm focused on this  
2 transcript and this record. And there might be something  
3 you're hanging your hat on the earlier one that maybe you do  
4 tell us about, or you don't. I'd be concerned about that. I  
5 also don't think it's fair to Respondent to say, hey, they now  
6 have to have ownership over this second half.

7 So I'm not trying the history. Some of the history might  
8 be relevant in this one, and you could certainly repeat  
9 yourself and go into that. But jumping into the record in its  
10 entirety, I'm not willing to do. So just that's why I told you  
11 in the email, prepare your case accordingly. If there's some  
12 of the same exhibits and they're relevant now, I'd certainly be  
13 inclined to let those in. So just be aware of that.

14 MR. GOODE: Okay. And just for the purposes of the  
15 record, Your Honor, we understand and I'll move on. We would  
16 ask that Your Honor take judicial notice of Judge Rosas' ALJD.

17 JUDGE RINGLER: And I don't know with great certainty that  
18 that would be necessary for me to do that and make my findings  
19 in this case. And he is making all sorts of factual findings  
20 that I don't know that I can fairly do that without, once  
21 again, jumping into the entire record and the entire  
22 transcript.

23 So for the purposes of background evidence, I could  
24 certainly comment on my decision on Starbucks 1, Judge Rosas'  
25 decision. But in terms of his factual and legal findings, I

1 don't believe that I would appropriately take judicial notice  
2 of that. It's not a board decision yet, and it's just an ALJ  
3 decision.

4 MR. GOODE: Okay. And just so I understand this so I can  
5 prepare our case, and if we had a witness's testimony in  
6 Buffalo 1, you would not be prepared to just accept, if we  
7 printed off that witness's testimony, that portion of the  
8 transcript, because we believe it has background evidence.

9 JUDGE RINGLER: So no, because my thought is if you were  
10 trying something in Buffalo 1 as an 8 (a) (1) violation, that  
11 that was put before Judge Rosas, that mine are new 8 (a) (1)  
12 and 8 (a) (3) allegations. So the answer is no, but with  
13 respect to background evidence, you could either stipulate with  
14 Respondent or you could re-present it.

15 MR. GOODE: Okay.

16 MR. BALSAM: Judge, may I just for the record?

17 JUDGE RINGLER: Sure. Go ahead.

18 MR. BALSAM: We obviously object to the Counsel for the  
19 General Counsel's efforts to --

20 JUDGE RINGLER: Yep. Hence the motion. Yes.

21 MR. BALSAM: And I just want to note that it would be  
22 entirely improper to rely on Judge Rosas' decision. There is  
23 determinations that he made that we are filing exceptions on.

24 JUDGE RINGLER: Sure.

25 MR. BALSAM: In a couple of days. And so it's subject to

1 appeal, not final, not reliable credibility determinations that  
2 were made there. Not reliable in this case either. And you  
3 should be making your own credibility determinations.

4 JUDGE RINGLER: Right.

5 MR. BALSAM: And therefore should not be allowed any part  
6 of that record.

7 JUDGE RINGLER: I agree. However, we might have -- and  
8 this is just a for example, district manager testifies. I'm  
9 sure there's some duplication of their background evidence or  
10 that kind of thing, right? Number of stores, locations of  
11 stores, things like that. But this really, from my  
12 perspective, is a new trial, right? And we've got a whole host  
13 of other things that were not litigated otherwise, there'd  
14 already be a finding on. We wouldn't have to re-litigate those  
15 things.

16 So just really bear that in mind. It'll make it easier  
17 when everyone's writing their briefs. It'll make it easier  
18 when the Board is looking at this. It'll make it easier for  
19 Respondent Counsel, Judge, all the undersigned. So think of  
20 this as a new case. But if there's exhibits from the old case  
21 that you need, that they're relevant now, certainly I wouldn't  
22 hamstring you and stop you from presenting those.

23 MR. GOODE: Okay. The next thing, Your Honor, is just  
24 subpoena compliance. We received some production. I think our  
25 folks are trying to parse through it quickly. But I was hoping

1 for some discussion on the record about what's been provided.

2 JUDGE RINGLER: Okay.

3 MR. GOODE: What hasn't been provided, and whether your  
4 order has been complied with.

5 JUDGE RINGLER: Okay. Go ahead, Counsel.

6 MR. BALSAM: Judge, just for historical purposes to make  
7 sure we're all clear, Counsel for the General Counsel served us  
8 in a Fourth Amendment consolidated complaint, two days later  
9 served us another subpoena. We have three weeks to prepare for  
10 this over our objections that this case continue into May. We  
11 thought based on our initial conversation with you, Judge, that  
12 we were going to proceed for this case in May, later on, that  
13 that was not going to happen.

14 We've done our best to comply with the subpoena. We  
15 produced, I believe, over 5,000 pages of documents this  
16 morning. We intend to produce another batch of documents in  
17 the next few days, therefore, fully complying with the  
18 subpoena.

19 JUDGE RINGLER: Okay. So it's your expectation that by  
20 Wednesday, close of business --

21 MR. BALSAM: Thursday morning the latest. Thursday  
22 morning the latest.

23 JUDGE RINGLER: Okay. Thursday morning the latest, they  
24 should have everything.

25 MR. BALSAM: Correct.

1 JUDGE RINGLER: Okay. Honestly, I think in light of the  
2 fact that we're going to be here for a couple of weeks for the  
3 first half, and there's an intervening weekend, that's fine.  
4 If Counsel for the General Counsel presents a witness, and then  
5 there's an exhibit you want to ask that witness about, again,  
6 certainly I'd allow you to recall that witness. But if it  
7 turns out being Thursday morning, I think we could all live  
8 with that.

9 MR. GOODE: Well, I would just note, Judge, that at the  
10 moment, I'm not depending -- especially I'll be completely  
11 transparent. We were thinking of our hours in the courtroom  
12 each day from like -- we were planning for 9 to 5 with your  
13 expectation that it's going to be 9 to 6.

14 JUDGE RINGLER: It is 9 to 5. I'm on Central Time. I'm  
15 joking. I live in Dallas, so I'm joking that I'm on Central  
16 Time. So it's 9 to 5 for me.

17 MR. GOODE: So no, no, no. That's fine, Judge.

18 JUDGE RINGLER: I'm getting it earlier for you.

19 MR. GOODE: I want to comply with your orders. There's a  
20 significant chance that we're going to be done earlier than we  
21 expected. I mean, I'm talking like Monday or Tuesday of next  
22 week. And as I understand how the production works or is  
23 working, Respondent has produced documents. But the way that  
24 they're being produced, we can't reasonably use those documents  
25 for several days because they're being produced as I understand

1 it, and they're not being produced in native format like we've  
2 asked in our subpoena. They're being produced in a way that is  
3 an individual page for -- so they're essentially image files  
4 right now, all we have access to.

5 So a 30-page document comes across as 30 individual pages,  
6 and we won't even be able to reasonably use this production for  
7 several days. So what we've got today, from what I understand,  
8 won't be meaningfully helpful to us for several days. So any  
9 future production that occurs potentially Thursday morning, we  
10 might not be able to use before our case in chief is done.

11 JUDGE RINGLER: Well, no.

12 MR. GOODE: And that I think --

13 JUDGE RINGLER: I think that in all fairness, that even  
14 based on what you're saying, if you get the stuff on Thursday,  
15 we're going to work on Friday, then we've got Saturday and  
16 Sunday for you folks to reconvene and work out the exhibits,  
17 and then you have the rest of week two to deal with those. So  
18 I think that -- I mean, is everything in lockstep protection?  
19 No.

20 But I think in terms of trying to be reasonable to them,  
21 trying to be reasonable to you, making sure you get what you  
22 want and you haven't rested until you've had a chance to look  
23 at it and present witnesses, I will do my best to try to do  
24 that. So just being realistic, they're saying Thursday morning  
25 is the earliest that they feel that you can get that, or the

1 latest that they feel that you can get that.

2 And realizing that if we stopped at 6:00, I appreciate you  
3 preparing witnesses. So we'll have that gap of time for you to  
4 look at that. I mean, am I going to say on that basis that I'm  
5 going to impose Bannon-Mills sanctions against them on that  
6 basis? No. I'm not going to do that.

7 My goal is for us to get a complete record and to not  
8 hamstring you in terms of looking at the exhibits. And I will  
9 do my absolute best to make sure I've been fair to you in that  
10 way.

11 MR. GOODE: Okay.

12 MR. BALSAM: Judge, may we respond?

13 JUDGE RINGLER: If you'd like to. Sure.

14 MR. BALSAM: So my colleague Kimberly Duplechain is our  
15 Discovery Counsel, and I think that's important to hear just in  
16 response to Counsel for General Counsel.

17 JUDGE RINGLER: Okay. Off to you, I'll start by saying  
18 that. But all right, go ahead if you would. Yes.

19 MS. DUPLCHAIN: Thanks Your --

20 JUDGE RINGLER: Update us on where things are at.

21 MS. DUPLCHAIN: Yeah. Thank you, Your Honor. I just  
22 wanted to clarify that the Board's subpoena does not actually  
23 ask for native productions. It asks for productions in a  
24 reasonably usable format. We produced those in a TIF format  
25 with a load file that contains metadata and searchable text.



1 They've received this type of load file in dozens of cases so  
2 far without complaint.

3 They are able to access those TIFs. They can actually  
4 view them at their leisure. There is no impediment to them  
5 viewing any of that data right now. Now, it might take them  
6 some time to load it into their Relativity platform, but again,  
7 they have access to and can view all of that information that  
8 we've produced. I just wanted to say that this is how we  
9 produce information in these cases.

10 JUDGE RINGLER: Okay. And from your perspective, what  
11 percentage of the documents that you will produce have you  
12 already produced at this point?

13 MS. DUPLECHAIN: I'd say we've probably produced 60  
14 percent.

15 JUDGE RINGLER: 60 percent, okay. And are you going to  
16 produce the rest in piecemeal or is it going to be here's the  
17 other 40 percent and we're done?

18 MS. DUPLECHAIN: No, Your Honor. We will be producing the  
19 final supplemental with everything that's remaining on either  
20 by Thursday morning at the latest.

21 JUDGE RINGLER: Okay. And just for the record, what is  
22 the logic behind you doing that?

23 MS. DUPLECHAIN: The logic behind the production?

24 JUDGE RINGLER: Supplying the full 40 percent remaining as  
25 opposed to piecemeal.

1 MS. DUPLCHAIN: We endeavored to get this done. We  
2 wanted everyone to have all the documents at hand. We need it,  
3 they need it. So we just wanted to do. We couldn't do  
4 everything at once. So we thought we'll do it in two trenches  
5 to make sure that everyone's got everything they need by the  
6 sort of midweek.

7 JUDGE RINGLER: Okay. As I said, I'll do my best to  
8 accommodate you folks. And if it's, you know, Judge, we have  
9 two days more worth of testimony. Can we start on Tuesday? I  
10 might be open to doing that and giving you the addition of  
11 Monday. So once you see it, take a look at it. Give me your  
12 best reasonable proposal that if you were sitting in my shoes,  
13 that you'd be like, okay, this is a fair ask. So then let's  
14 take it from there. But I'll make sure you folks get a chance  
15 to go through it certainly.

16 MR. GOODE: Okay. Thank you, Judge.

17 JUDGE RINGLER: Yes.

18 MR. GOODE: The last thing that --

19 JUDGE RINGLER: And you shook your head at one point and  
20 you were kind not to interrupt. And I appreciate that.

21 MR. GOODE: I did. So the idea that we haven't objected  
22 to this in other proceedings, I'm nearly certain we've objected  
23 to this in all proceedings, Judge.

24 JUDGE RINGLER: Okay.

25 MR. GOODE: Now, I can't say all. I'm not there at all.

1 But I know recently in a Starbucks trial in Ithaca, we have  
2 objected to production.

3 JUDGE RINGLER: Okay.

4 MR. GOODE: We've objected to the way that things are  
5 being produced in other parts of the country. And yes,  
6 eventually we have the time. Once that production is loaded  
7 correctly and into our system, we do have the searchable  
8 features. But the way this is normally produced, as I  
9 understand it, typical federal court litigation, well,  
10 discovery comes in well in advance of the hearing.

11 In the way that our system -- the way that we prosecute  
12 these cases, it's a much more truncated timeframe. So we  
13 aren't -- we will not, from what I understand, be able to  
14 reasonably use these documents then. We won't. I mean, we are  
15 going to get a -- we are going to be able to piece like --

16 JUDGE RINGLER: I understand.

17 MR. GOODE: -- what each individual document and not know  
18 what it is. We can't search it. And that's why I shook my  
19 head. And that's the problem, Your Honor.

20 JUDGE RINGLER: I've gotcha. But you'll have a pocket of  
21 time to make sure that you get that chance. And unfortunately,  
22 it works both ways, right? You get your discovery last minute,  
23 they don't know who the witnesses are. It's sort of the way --  
24 that's the way it unfolds. Right, wrong, or indifferent.

25 MR. BALSAM: Judge, I just want to clarify that in Buffalo

1 1, this is the production method that they asked for. So we're  
2 just doing the same way we did with Buffalo 1.

3 JUDGE RINGLER: And you're kind of doing it the same way.

4 MR. BALSAM: Exactly.

5 JUDGE RINGLER: Okay. Fair enough. We've kind of, I  
6 think, we are beating a dead horse here, so thank you. Yes.

7 MR. GOODE: The last thing I have, Judge, is before we  
8 present witnesses and to understand, so we're not covering  
9 ground, it doesn't need to be covered, Respondent's -- so we've  
10 alleged that in paragraphs 11 (d), 11 (h), 11 (n), 11 (s), and  
11 11 (w) that Respondent did not provide pre-implementation  
12 notice and an opportunity to bargain over the corresponding  
13 disciplines.

14 Respondent's answer is the pleading constitutes legal  
15 conclusions and arguments for which no answer is required,  
16 therefore, it's denied. In prior answers, in the second  
17 answer, the answer to the second consolidated complaint, answer  
18 to the third consolidated complaint, Respondent admitted those  
19 answers -- admitted those paragraphs that the answer has  
20 changed.

21 And what I'm trying to do is I'd like to get a better  
22 understanding of what Respondent's answer is on the complaint,  
23 because ultimately, what I would like is a factual stipulation  
24 that Respondent did in fact not provide notice and pre-  
25 implementation bargaining. Because I don't believe that's

1     disputed.

2             I thought that stipulation was rejected. And so I'm  
3     hoping to get clarification on, I guess, a better understanding  
4     of what that answer is. So we're not in a position we're  
5     trying to prove a negative and asking a bunch of questions that  
6     really aren't in dispute.

7             JUDGE RINGLER: Okay. So they are indicating that in an  
8     earlier iteration of your answer that you admitted this.

9             MR. GOODE: I apologize, Judge. We added three additional  
10    ones. So the ones that are currently in 11 (d) and 11 (h) were  
11    in our prior complaints. It's those that were admitted in our  
12    fourth consolidated complaint, we added (n), (s), (w), but it's  
13    the exact same allegation.

14            JUDGE RINGLER: Okay. Okay. So I think, so Respondent  
15    has the right to change their answer. You might feel that,  
16    boy, we admitted it before, and from our perspective, we don't  
17    have to bargain over it anyway under current board law. So  
18    therefore, it's no big deal and we didn't give them notice. So  
19    it might be something we don't have to prove. Do you folks  
20    want to take a look at that again?

21            MR. BALSAM: No. I think that from my perspective, when a  
22    new complaint is issued and amended or complaint is amended, if  
23    that last complaint is a nullity, our answer is a nullity, it's  
24    as if it never existed.

25            JUDGE RINGLER: Sure. Okay. But I think that the

1 question really is this is something that you admitted before.  
2 Are you willing to admit again --

3 MR. BALSAM: All right. But at the same time, we've also  
4 filed a motion to dismiss that is still pending before the  
5 board on this particular issue.

6 JUDGE RINGLER: Okay. So you feel that -- so they're  
7 saying that no. But really from your perspective, once again,  
8 I try to be pragmatic on these things. You get your Union rep  
9 up there, did you receive notice of this? Did you bargain?  
10 It's probably our discussion now took a lot longer than it  
11 probably would in reality take for you to prevent any of these  
12 things. So I'll take that under advisement.

13 MR. GOODE: We'll do, Judge.

14 JUDGE RINGLER: Okay.

15 MR. GOODE: That's all I have, Judge.

16 JUDGE RINGLER: Okay. Okay. All right, so that one we  
17 talked about. I owe an answer on the -- well, I guess I don't  
18 owe an answer on the email. You're going to just prepare  
19 Respondent exhibits on the underlying subpoena documents. Is  
20 that where we left at?

21 MR. BALSAM: I'm sorry, Judge.

22 JUDGE RINGLER: We at the very -- we've had a lot of  
23 discussions, a lot of water under the bridge since that point,  
24 but we talked about your underlying discovery documents. You  
25 wanted to offer those into evidence.

1 MR. BALSAM: Oh yeah.

2 JUDGE RINGLER: I'm just saying make them Respondent  
3 exhibits and we'll deal with those.

4 MR. BALSAM: It's the pre-hearing pleadings that were  
5 filed in this case that the Counsel for the General Counsel did  
6 not include in their formal papers. So we would like to add  
7 our as an exhibit.

8 JUDGE RINGLER: Right. And I suggested just make those  
9 Respondent exhibits and we'll deal with those once you do.

10 MR. BALSAM: That's fine. Fair enough.

11 JUDGE RINGLER: Okay.

12 MR. BALSAM: Thank you.

13 JUDGE RINGLER: And that'll be fine. No, you're welcome  
14 on that. And then in terms of our -- we were missing an  
15 answer. I initially wrote down third, then I changed to first.  
16 But Counsel for the General Counsel's going to clean that up  
17 and that's important and you want to clean that up. So we  
18 covered that as well. Scheduling we talked about. Okay, good.  
19 So time for openings?

20 MR. GOODE: Yes, Judge.

21 MS. SNELLING: Yes.

22 JUDGE RINGLER: Okay. Who's next on the hit list.

23 MR. BALSAM: Judge, before you -- if I may, I think we  
24 want to clarify the scheduling situation here. When we met for  
25 our prehearing conference, it was indicated that we would have

1 a break before we have to call our witnesses.

2 JUDGE RINGLER: Yes.

3 MR. BALSAM: In fact, because they are all over the  
4 country.

5 JUDGE RINGLER: And that still applies.

6 MR. BALSAM: Okay, good. So I just want to make sure that  
7 they're --

8 JUDGE RINGLER: That still applies. My thought is I'm  
9 here for the two weeks to cover Counsel for the General  
10 Counsel's case. If it's less, God bless, that's wonderful.  
11 And then we'll pick another two-week period for you folks to  
12 come back does that help.

13 MR. BALSAM: Does it help everyone to do that now?  
14 Because as schedules start to get cumbersome and difficult --

15 JUDGE RINGLER: You could propose the two-week periods to  
16 me. I'd have to call back home, just have my spouse take a  
17 look at the desk calendar that I have. I don't have it in  
18 front of me, so --

19 MR. BALSAM: Okay.

20 JUDGE RINGLER: And make sure that those are fine in terms  
21 of two weeks. I had something written down in terms of  
22 conference or something else. But do you have two-week periods  
23 that you want to propose? We can go off the record for a  
24 moment and deal with that.

25 MR. BALSAM: It doesn't make sense for us to confer off



1 record after this and propose --

2 JUDGE RINGLER: Yeah, that's what I was suggesting if we  
3 went off. Okay, we'll continue. So you folks talk about that  
4 and we'll pick out our part two of this for sure. Okay, so  
5 we're still on, right? We didn't go off. Good. Okay. Thank  
6 you for that.

7 MR. BALSAM: Judge, if I may, I have another point.  
8 Because our motion to dismiss is still pending with the Board,  
9 we request that you stay any testimony on the issues that are  
10 pending before the Board and our motion to dismiss, which  
11 includes the alleged Weingarten right violation as well as the  
12 pre-implementation.

13 JUDGE RINGLER: I'm not going to do that. No.

14 MR. BALSAM: May I ask why?

15 JUDGE RINGLER: Because it's part of the complaint that  
16 I'm trying, so I'm going to try the entire complaint.

17 MR. BALSAM: Okay.

18 JUDGE RINGLER: And if the Board -- they know we started  
19 today, if they want to say stop the presses, they could  
20 certainly say stop the presses. So okay. Good. Opening  
21 statements. Okay.

22 MS. SNELLING: Your Honor, this case begins back in August  
23 of 2021. At that time, Buffalo area Starbucks employees wrote  
24 a letter to then CEO of Starbucks stating their intent to  
25 unionize stores in the Buffalo area and begin their Union

1 campaign.

2 Since that campaign started more than a year and a half  
3 ago, there are now officially 300 unionized Starbucks stores in  
4 the country as of a few days ago. The first unionized  
5 Starbucks store is a mere two miles north from here right up  
6 Elmwood Avenue. The Unionization efforts here in Buffalo were  
7 met with tremendous pushback and resistance from Respondent.

8 Respondent deployed numerous tactics to deter Union  
9 activity within their stores here in Buffalo and later all over  
10 the country. Many of those tactics Respondent used led them to  
11 be on trial last summer here in Buffalo as their tactics  
12 resulted in hundreds of unfair labor practices.

13 Respondent continued to use those same Union busting  
14 tactics in the Buffalo and Rochester area stores against pro-  
15 Union employees in Union and non-Union stores in the western  
16 New York area. Their continuation of these tactics is what  
17 brings us here today.

18 Throughout this hearing, you'll hear from around two dozen  
19 individuals across nine different stores in the Buffalo area  
20 and one store in the Rochester area. They will testify to the  
21 unfair labor practices they witnessed and that they were  
22 subject to by Respondent.

23 The 10 stores that these unfair labor practices took place  
24 at are the Elmwood Ave store, Sheridan and Bailey, Genesee  
25 Street, Transit Commons, Williamsville Place, Delaware and

1 Chippewa, Camp Road, East Robinson, Tonawanda, and Penfield.

2 You will hear testimony that the Respondent packed the  
3 Williamsville voting unit by limiting employee's ability to  
4 transfer to the Williamsville store. The evidence will show  
5 Respondent specifically transferred anti-Union employees to the  
6 store while at the same time they transferred pro-Union  
7 employees to an already unionized store in a blatant attempt to  
8 influence this store's Union election.

9 You will hear testimony that Respondent instructed an  
10 employee at the Transit Commons store to remove a Union pin  
11 despite the employee being in compliance with the employer's  
12 pin policy. This is not the first time Respondent disparately  
13 enforced its pin policy and evidence will show Respondent  
14 continued to do so.

15 You will hear testimony that Respondent disparately and  
16 more strictly enforced the pin policy against a very outspoken  
17 Union supporter, William Westlake, at the Camp Road store.  
18 They sent him home from shifts, disciplined him disparately,  
19 and eventually terminated Westlake.

20 You will hear testimony that Respondent threatened the  
21 closure of the Elmwood Ave store, the first unionized store in  
22 the country after its employees went on strike for working  
23 conditions.

24 You will hear testimony that Respondent threatened more  
25 onerous terms of employment of lower staffing levels at the

1 Unionized Sheridan and Bailey locations and stated that this  
2 was because employees chose to unionize. You'll hear at the  
3 same store that employees that did not engage in striking would  
4 be treated better than those that chose to strike and  
5 baselessly accused striking employees of stealing bags of  
6 coffee.

7 You'll hear testimony that Respondent refused to abide by  
8 a past practice of closing the store early for July 4th because  
9 employees chose to unionize. And further, you'll hear  
10 Respondent blamed the Union for the delay in the beginning of  
11 bargaining sessions.

12 You'll hear testimony that Sheridan and Bailey employees  
13 were subject to a new disciplinary policy called the Three  
14 Strikes Rule without any notice or bargaining of this change.  
15 And no, the employees were not playing baseball when this rule  
16 was enacted.

17 You'll hear testimony that Respondent would remove Union  
18 literature from non-work areas prior to the Penfield Store  
19 Union election. You'll hear that Respondent held one-on-one  
20 captive audience meetings and threatened employees with a loss  
21 of benefits if they were to unionize.

22 You'll hear Respondent disparately and selectively  
23 enforced the transfer policy by denying pro-Union employees  
24 their request to transfer to other stores. Evidence will show  
25 Respondent has given numerous disciplines that targeted pro-

1 Union employees as evidenced by Respondent more strictly  
2 enforcing rules such as civility, dress code, attendance, and  
3 punctuality.

4 Evidence and testimony will show Respondent violated an  
5 employee's Weingarten rights when a disciplinary meeting turned  
6 investigatory. Evidence will show Respondent has terminated 10  
7 employees for supporting the Union. These ex-employees are Vic  
8 Conklin, Sam Amato, Tatiayna Gurskiy, Cole Graziano, Michael  
9 Sanabria, William Westlake, Sariah Hakes, Connor Mauche, Jovan  
10 Draves, and Allegra Anastasi.

11 Among these individuals was a 13-year employee who was  
12 terminated for closing the store cafe. Something he did not do  
13 and something the Respondent know that he didn't do. You will  
14 hear testimony from another partner that was terminated for  
15 simply attending his grandmother's funeral. Specifics aside,  
16 all these employees were terminated for their pro-Union stance.

17 In addition to 10 discharges, you will hear that  
18 Respondent knowingly created untenable working conditions and  
19 constructively discharged Jaz Brisack, one of the lead  
20 organizers of the Starbucks Workers United campaign and an  
21 employee of the Elmwood Ave Store.

22 Lastly, evidence and testimony will show the Respondent  
23 failed to provide notice to unionized stores and failed to  
24 bargain with unionized stores over much of these disciplines  
25 and terminations.

1        Respondent has once again found itself in an NLRB hearing,  
2        the third hearing in Region 3 within a year with a fourth  
3        hearing starting next week. This case alleges dozens of  
4        allegations running the gamut of unfair labor practice  
5        violations, including those found in Sections 8 (a) (1), (3),  
6        and (5) of the National Labor Relations Act.

7        Former CEO and chairman of Starbucks, Howard Schultz, in a  
8        Senate committee hearing recently stated that Starbucks is  
9        built on the premise to respect workers. However, you will see  
10       these sentiments do not extend to pro-Union employees and they  
11       especially do not extend to the employees in the Western New  
12       York stores that started this far-reaching Union campaign.

13       To the extent there's any doubt about Schultz's feeling on  
14       union salting, which is protected activity, Howard Schultz  
15       said, if that's not a nefarious act, then I don't know what is.  
16       Respondent's actions show a blatant disrespect for workers and  
17       their workplace rights under the NLRA. We simply ask  
18       Respondent to be held accountable for its workplace injustices.  
19       Thank you.

20       JUDGE RINGLER: Okay. Thank you as well. Anything from  
21       our Charging Party?

22       MR. DOLCE: Yes, absolutely.

23       JUDGE RINGLER: Okay.

24       MR. DOLCE: Thank you, Your Honor.

25       JUDGE RINGLER: Go ahead, sir.

1           MR. DOLCE: We are here today to litigate another  
2 expansive case in which Starbucks is charged with dozens more  
3 labor law violations in response to its worker's historic Union  
4 campaign. Last summer, we were across the street litigating  
5 many similar issues with many of the same players, a case which  
6 resulted in a 204-page decision finding egregious and  
7 widespread misconduct on behalf of the company. Yet, Starbucks  
8 has decided to become even more aggressive and disparate in its  
9 anti-Union campaign, terminating Union leaders throughout  
10 Western New York on top of many other violations.

11           Despite the ramp up in aggression and desperation, the  
12 company has never changed its fundamental strategy to semi  
13 organizing activity and to break the Union, firing key Union  
14 supporters who were prominent in both the Buffalo and national  
15 organizing campaigns, disciplining others either to send the  
16 same message or to lay the groundwork for further terminations.  
17 Targeting the Elmwood Avenue store, the first Union store in  
18 the country with petty disciplines for laughable offenses.

19           In one situation, there were five disciplines over the  
20 course of five days. Many of these things no Starbucks  
21 employee had ever been disciplined for before. The company has  
22 moved workers around in attempt to sway elections, made threats  
23 about unionizing, both big and small, interrogated workers,  
24 lied about pro-Union workers, removed pro-Union literature and  
25 ordered workers to remove Union pins, made up rules or enforced

1 old rules to get rid of Union leaders.

2 Company's representatives did everything they could to  
3 punish workers who had already voted to unionize, especially  
4 those who were openly pro-Union and many that were sitting  
5 across from the company at the bargaining table.

6 What Starbucks is doing here and around the country is  
7 nothing less than one of the worst anti-Union campaigns in the  
8 country's history with complete disregard for worker's rights  
9 and the company's duties under the law. Even with all the  
10 action that's been taken, dozens of complaints encompassing  
11 hundreds of charges and thousands of violations, the company  
12 continues its rampant illegal activity.

13 On the heels of Judge Rosas' 204-page decision finding  
14 egregious and systematic anti-Union behavior in the Buffalo  
15 area from August '21 through spring '22, recently departed  
16 Starbucks CEO Howard Schultz took the stand in front of the  
17 Senate HELP committee and proclaimed Starbucks has never  
18 violated the law, that they were mere allegations against the  
19 company.

20 There's only one conclusion to draw from the company  
21 continuing to behave like this. Starbucks thinks you, everyone  
22 sitting in this office and the entire agency, is a joke.  
23 Starbucks believes its worker's right to organize and bargain  
24 collectively is a conspiracy rather than black letter federal  
25 labor law.



1       The only thing that will eventually stop Starbucks is  
2 multiple ALJ decisions describing the violations in the most  
3 robust way and imposing the heaviest, most aggressive, most  
4 extraordinary remedies that are available under the law. Such  
5 remedies are what the GC is seeking and what is required in  
6 light of extraordinary violations and the company's obvious  
7 contempt for our nation's laws. Thank you.

8       JUDGE RINGLER: Okay. Thank you as well, sir. All right.  
9 For Respondent?

10       MR. BALSAM: We'll defer until case in chief.

11       JUDGE RINGLER: Okay. All right. Well, we're ready to  
12 start with our first witness. Do you folks want to go off the  
13 record for just five minutes before we start?

14       MR. GOODE: Sure.

15       MS. SNELLING: Sure, Your Honor.

16       MR. GOODE: Judge, may we have 10 just so I can confer? I  
17 can -- again, I'll be transparent with you. I did -- I've got  
18 to find -- to comply with your order, I've got to find a  
19 witness.

20       JUDGE RINGLER: You've got to find the second person.  
21 Ten's fine. Absolutely. We'll take 10.

22       MR. GOODE: Judge, if I may, I mean, if we are going to be  
23 going into Tuesday or Wednesday of next week, I respect Your  
24 Honor's order for today. If we are not able to secure a second  
25 witness, I will do my best. I really will.

1 JUDGE RINGLER: Okay. Okay. Now, that you know my  
2 thoughts about it, I'm going to ask you to do your best.

3 MR. GOODE: Yep.

4 JUDGE RINGLER: Good faith, best effort.

5 MR. GOODE: Yep.

6 JUDGE RINGLER: Right. If 4:00 rolls around, you're like,  
7 Judge, we didn't realize you were going to want that. And we  
8 called a bunch of witnesses and we couldn't find anybody  
9 amongst the 25 that could show up here. And we can't present.  
10 Am I going to say to you present a witness or rest? No, I'm  
11 not going to say that to you. I mean, that would be  
12 ridiculous. But now that you know what the game plan is going  
13 forward --

14 MR. GOODE: Going forward without a doubt, Judge.

15 JUDGE RINGLER: -- deal with that. But please try to find  
16 somebody for today. But if you can't, I'm not going to make  
17 you rest your case.

18 MR. GOODE: We'll do, Judge.

19 JUDGE RINGLER: All right.

20 MR. GOODE: Thank you.

21 MS. SNELLING: Thank you.

22 JUDGE RINGLER: All right.

23 MR. GOODE: So we have 10, Judge?

24 JUDGE RINGLER: We've 10 minutes. Yeah. So that's pretty  
25 much 2 even, so -- or 3 even. I'm sorry. Did I switch Central

1 on 2? Yeah. I'm confusing whether I switched though or not.

2 Yes, 2:00. We're off the record until then.

3 (Off the record from 1:49 p.m. to 2:02 p.m.)

4 JUDGE RINGLER: Back on? Okay. Perfect. Okay. So we  
5 are back on the record in our Starbucks, Workers United case  
6 ready for our first witness. So who do we have?

7 MS. SNELLING: Okay. General Counsel calls Victoria  
8 Conklin to the stand.

9 JUDGE RINGLER: Okay, go on. All right. Perfect. We've  
10 got Ms. Conklin, so make yourself comfortable. And I know that  
11 I mentioned during the pre-hearing conference for each witness,  
12 I want you to identify what complaint paragraphs they're going  
13 to testify by.

14 MS. SNELLING: Yes, Your Honor.

15 JUDGE RINGLER: You don't have to yet. Let's swear in  
16 first. Okay. So easy question. First, can you state your  
17 name for the record and then spell it for us, first and last.

18 THE WITNESS: It's Victoria Conklin V-i-c-t-o-r-i-a C-o-n-  
19 k-l-i-n.

20 JUDGE RINGLER: All right, very good.

21 Whereupon,

22 VICTORIA CONKLIN,  
23 was called as a witness by and on behalf of the General  
24 Counsel, and having been first duly sworn, was examined and  
25 testified on her oath, as follows:

1 JUDGE RINGLER: All right. And more than fine, you  
2 brought water up there, that's a hundred percent fine. So any  
3 witnesses that want to bring up water bottle or a cup of  
4 coffee, whatever, that's A-okay. So I don't need to ask.

5 MS. SNELLING: Thanks, Your Honor.

6 JUDGE RINGLER: Okay. So Ms. Conklin, what is she going  
7 to testify about? What complaint paragraphs?

8 MS. SNELLING: Okay. Ms. Conklin is going to testify  
9 about transfer denials in complaint Section 9 (a) (i).

10 JUDGE RINGLER: 9 (a) (ii)?

11 MS. SNELLING: Just one i.

12 JUDGE RINGLER: Okay. 9 (a) and (i).

13 MS. SNELLING: Yes, (i). Yes.

14 JUDGE RINGLER: All right.

15 MS. SNELLING: And then also about her final written  
16 warning, complaint Section 9 little i and then two little i's.  
17 And then she's also going to testify to complaint Section 9 (j)  
18 and she's within a chart on that section of the complaint, Your  
19 Honor. And I don't think that I marked which section in the  
20 chart she's on, but that's for her termination.

21 JUDGE RINGLER: Perfect.

22 MS. SNELLING: Okay.

23 JUDGE RINGLER: And just to make it easier for you,  
24 because I see that you've got a lot of different charts here  
25 that have little i, two i's, and then three i's. For those, if

1 you simply want to tell me, Judge, she's going to testify about  
2 paragraph 9 (a) just to make the record very clean --

3 MS. SNELLING: Okay.

4 JUDGE RINGLER: -- and 9 (i), more than fine. And that  
5 way we won't complicate it with the --

6 MS. SNELLING: With the little --

7 JUDGE RINGLER: -- little subsets that you've got.

8 MS. SNELLING: Okay.

9 JUDGE RINGLER: So that'll be perfect and I think cleaner.

10 MS. SNELLING: Okay.

11 JUDGE RINGLER: So with respect to that 9 (a) and 9 (i),  
12 right? Am I right?

13 MS. SNELLING: Yes, 9 (j) as well.

14 JUDGE RINGLER: And 9 (j) as well. Okay.

15 MS. SNELLING: Okay.

16 JUDGE RINGLER: And perfect. And that rule would apply to  
17 Respondent as well. It'll make a cleaner record for you also.

18 MR. BALSAM: Understood, Judge.

19 JUDGE RINGLER: Yes. Okay. Go to it.

20 DIRECT EXAMINATION

21 BY MS. SNELLING:

22 Q. Okay. Good afternoon, Victoria. How are you?

23 A. I'm good, how are you?

24 Q. Good. Victoria, what are your pronouns?

25 A. She/her.

1 Q. Okay. And have you ever testified in an NLRB hearing?

2 A. Yes.

3 Q. When?

4 A. Last summer.

5 Q. Okay. Summer of 2022?

6 A. Yes.

7 Q. Perfect. And where do you currently work?

8 A. Olive Garden.

9 Q. Okay. And when did you start working at Olive Garden?

10 A. I would say a month ago, so March of 2023.

11 Q. Okay. Did you ever work for Starbucks Corporation?

12 A. I did.

13 Q. When did you work for Starbucks?

14 A. I was hired June 30th, 2017, and I was terminated June  
15 22nd, 2022.

16 Q. Okay. What position did you hold when you worked for  
17 Starbucks?

18 A. I was hired on as a barista and then later promoted to  
19 shift supervisor.

20 Q. Okay. When were you promoted to shift supervisor?

21 A. Sometime in the fall of 2019.

22 Q. Okay. And what store did you work at while employed by  
23 Starbucks?

24 A. I was hired at the Walden Galleria kiosk and then later  
25 transferred to the East Robinson store.

1 Q. Okay. When did you transfer to the East Robinson store?

2 A. I would say March, 2021.

3 Q. Okay. And how many hours a week on average did you work?

4 A. Typically around 30 and 35.

5 Q. Okay. And what days did you typically work?

6 A. I had open availability almost every day. I couldn't work  
7 Tuesdays after I think 4:00 p.m. and then I had Sundays  
8 completely unavailable.

9 Q. Okay. And what shift did you typically work?

10 A. Mid two closes.

11 Q. Okay. Are you familiar with the Union Workers United?

12 A. I am.

13 Q. Okay. When did you become familiar with Workers United?

14 A. August of 2021.

15 Q. Okay. And how?

16 A. The initial Dear Kevin Letter went public and I saw it on  
17 Twitter.

18 Q. Did you ever become involved with the Union?

19 A. I did.

20 Q. Okay. And when?

21 A. January of 2022.

22 Q. Okay. And how did you become involved?

23 A. I joined the Buffalo Organizing Committee and then I  
24 started talking to my coworkers about organizing our store.

25 Q. Okay. And did you ever show support for the Union while

1 working?

2 A. Yes.

3 MR. BALSAM: Objection. Leading.

4 JUDGE RINGLER: Overruled. You can answer.

5 THE WITNESS: Yes, I did.

6 BY MS. SNELLING:

7 Q. And how?

8 A. I would wear a pin on my apron every day I worked and then  
9 I would talk to a lot of my coworkers on the floor about the  
10 Union.

11 Q. Okay. And the last store that you worked at, East  
12 Robinson, was that unionized?

13 A. Yes.

14 Q. And when did your store petition to take a Union vote?

15 A. I believe April 18th, 2021.

16 Q. Okay. And did you let management know you petitioned for  
17 an election in -- or did you let management know that you  
18 petitioned for an election?

19 A. I did.

20 Q. Okay. And how did you let management know that you  
21 petitioned for a Union vote?

22 A. I verbally told my store manager.

23 Q. Okay. Was there anything else that you did?

24 A. I told all my coworkers on the floor also that we had  
25 petitioned for the vote.



1 Q. Okay.

2 JUDGE RINGLER: So hang on one second. So you told your  
3 store manager, but you didn't tell us your store manager's  
4 name.

5 THE WITNESS: Oh, I'm sorry. It was Keitta Clark.

6 JUDGE RINGLER: Keitta Clark?

7 THE WITNESS: Yeah. K-e-i-t-t-a and then Clark.

8 JUDGE RINGLER: K-e-i-t-t-a and then Clark.

9 THE WITNESS: Yes.

10 JUDGE RINGLER: Okay. Sorry to interrupt, Counsel, but I  
11 thought that was important to point out.

12 MS. SNELLING: That's okay. Thanks, Your Honor.

13 JUDGE RINGLER: Yes.

14 BY MS. SNELLING:

15 Q. Okay. Did your store ever send a letter announcing that  
16 they're unionizing?

17 A. Yes.

18 MR. BALSAM: Objection. Leading.

19 MS. SNELLING: Okay.

20 JUDGE RINGLER: Overruled. I'm suspecting that this is  
21 not going to be a matter that's in controversy, which you could  
22 lead on such matters, so it's fine.

23 MS. SNELLING: Okay.

24 JUDGE RINGLER: Go ahead.

25 THE WITNESS: Yes, we did.

1 BY MS. SNELLING:

2 Q. Okay. And what, if anything, did you do to the letter?

3 A. I was the one who wrote it. I asked my coworkers to read,  
4 make any edits, and put their name on it. And I also signed my  
5 name.

6 Q. Okay. And if I showed you a copy of the letter, would you  
7 recognize it?

8 A. Absolutely.

9 MS. SNELLING: Your Honor, I'm distributing what's marked  
10 GC Exhibit 2.

11 JUDGE RINGLER: Yes, absolutely.

12 MS. SNELLING: Thank you.

13 JUDGE RINGLER: Thank you as well.

14 MS. SNELLING: So the Court Reporter's copy, I'm sure if  
15 you want it, it'll be emailed.

16 JUDGE RINGLER: So just housekeeping, in addition to the  
17 paper copies, you're providing PDFs of all the exhibits to our  
18 Court Reporter?

19 MS. SNELLING: Yes.

20 JUDGE RINGLER: Correct.

21 MS. SNELLING: And I guess along with housekeeping, when  
22 would the court reporter like the exhibits?

23 JUDGE RINGLER: We could ask.

24 COURT REPORTER: Pardon me?

25 MS. SNELLING: When would you like us to send you the

1 exhibit via email?

2 COURT REPORTER: As soon as you can, I guess.

3 MS. SNELLING: Okay.

4 JUDGE RINGLER: In real time we'll say.

5 MS. SNELLING: Okay.

6 JUDGE RINGLER: Until we get a better answer.

7 MS. SNELLING: Okay. Sounds good.

8 BY MS. SNELLING:

9 Q. Okay. Vic, do you recognize this?

10 A. I do.

11 Q. Okay. What is it?

12 A. It's the Dear Howard letter that we sent the day we filed  
13 for our Union election.

14 (General Counsel's GC-2 identified)

15 Q. Okay. And on the second page, do you see your name?

16 A. I do.

17 Q. Okay. And where is it?

18 A. It is the first one.

19 Q. Okay, great. And so is this a true and accurate copy to  
20 the best of your recollection?

21 A. Yes.

22 MS. SNELLING: Okay. I move GC Exhibit 2 into evidence.

23 JUDGE RINGLER: Any objection or voir dire?

24 MR. BALSAM: No objection.

25 JUDGE RINGLER: All right. So we'll admit GC Exhibit 2 or

1 Dear Howard letter.

2 (General Counsel's Exhibit 2 is received.)

3 BY MS. SNELLING:

4 Q. Okay. And Victoria, by what method did employees vote in  
5 the Union election?

6 A. We did mail-in ballots.

7 Q. Okay. And what was the result of the election?

8 A. It was seven to four in favor of unionizing.

9 Q. Okay. And were the results of the election certified?

10 A. Yes.

11 Q. Okay. And when were they certified?

12 A. I believe sometime in July of 2022. I'm not entirely sure  
13 on the date.

14 Q. Okay. You mentioned previously that you were terminated.  
15 At what time were you terminated in proximity to your Union  
16 election?

17 A. It was six days after.

18 Q. Six days after what?

19 A. We voted to unionize.

20 Q. Okay. Okay. Vic, while working at East Robinson, did you  
21 ever try to transfer?

22 A. I did.

23 Q. Okay. And when?

24 A. Once at the end of February, 2022 and then mid --  
25 beginning to middle of March, 2022.

1 Q. Okay. And why did you try to transfer?

2 A. I was having a lot of issues with my store manager, Keitta  
3 Clark. And I didn't feel comfortable working at East Robinson  
4 anymore.

5 Q. Okay. And what were some of the issues that you were  
6 having with Keitta Clark?

7 A. She had pulled me into a one-on-one meeting and the two-  
8 on-one meeting both of which I felt that she was very hostile  
9 to me. There was also an issue of sexual harassment at my  
10 store that I felt she was targeting me about afterwards.

11 Q. Okay. And did you try to remedy the situation with  
12 Keitta?

13 A. Yes.

14 Q. Okay. And how?

15 A. I had meetings with Greta Case, who was my district  
16 manager about some conflict resolution strategies, and then we  
17 also had a mediated conversation between Keitta and I with  
18 Greta as the witness.

19 Q. Okay. And who from management knew of the issues with  
20 Keitta?

21 MR. BALSAM: Objection. Calls for speculation.

22 JUDGE RINGLER: Well, why don't we ask her, do you know  
23 who from management, and then ask her how she knows? And then  
24 she can answer that other piece of it.

25 BY MS. SNELLING:

1 Q. Do you know if anyone from management knew about your  
2 issues with Keitta?

3 A. Yes.

4 Q. Okay. And who would that be?

5 A. Liz Poole, who was the manager of the Niagara Falls  
6 Boulevard store, Greta Case, who was my district manager,  
7 Tracy, I'm not sure her last name was the district manager  
8 after Greta, and I also filed an ethics and compliance report  
9 against Keitta.

10 Q. Okay. And how do you know that all of those people knew  
11 about the issues with Keitta?

12 A. Well, I filed the ethics and compliance report, and then  
13 the other ones I had either Liz had witnessed a meeting between  
14 Keitta and I, and then I talked to her in the back room after,  
15 and then I approached both Greta and Tracy about the issues I  
16 was having.

17 Q. Okay. And so I know that you mentioned that you tried to  
18 remedy the situation with Keitta. In your opinion, was it ever  
19 remedied?

20 MR. BALSAM: Objection.

21 JUDGE RINGLER: Basis? Was it ever remedied in your mind?  
22 I mean, she would say yes or no and I'm assuming explain why.

23 MR. BALSAM: That wasn't the question. The question  
24 wasn't in your opinion.

25 JUDGE RINGLER: In your opinion, was it ever remedied was

1 the question.

2 MS. SNELLING: Yeah, I asked her.

3 MR. BALSAM: I misheard the question.

4 JUDGE RINGLER: Okay.

5 MR. BALSAM: I'll withdraw the objection.

6 JUDGE RINGLER: So in your opinion, was it ever remedied?

7 THE WITNESS: No.

8 MS. SNELLING: Okay.

9 JUDGE RINGLER: Why do you say that?

10 THE WITNESS: For the remaining time Keitta worked at East  
11 Robinson after we'd had the mediated conversation, she wouldn't  
12 speak to me and it was still, in my opinion, a very hostile  
13 place for me to be working with her.

14 BY MS. SNELLING:

15 Q. Okay. And so after that, that's when you tried to  
16 transfer?

17 A. Yes.

18 Q. Okay. And so how did you ask to transfer?

19 A. After the mediated conversation between Keitta and I with  
20 Greta, Greta had sent Keitta home and then I asked Greta if I  
21 would be able to transfer specifically to the Williamsville  
22 Place store.

23 Q. Okay. And so just as a refresher, Vic, I think you  
24 already said this, but when did you have this conversation?

25 A. This one was at the end of February, 2022.

1 Q. Okay. And when you spoke with -- how did the conversation  
2 -- strike that.

3 When you spoke with Greta, what did you ask?

4 MR. BALSAM: Objection. Leading.

5 JUDGE RINGLER: When you spoke with Greta, what did you  
6 ask? So she already said she spoke to her, so it's not leading  
7 in terms of there being a conversation. Now, she's asking  
8 what. I think that's fine. So go ahead.

9 THE WITNESS: Okay. I asked Greta if I would be able to  
10 transfer out of East Robinson and specifically if I could  
11 transfer to the Williamsville Place store.

12 BY MS. SNELLING:

13 Q. Okay. And what, if anything, was her response?

14 A. She said that there was no room for me at Williamsville  
15 Place or anywhere else in the district as a shift supervisor.  
16 I then offered to demote myself to barista. And she again said  
17 there was no room for me and that Williamsville Place was  
18 operating in a way that met the needs of business. I told her  
19 that I had a friend there who told me that they were operating  
20 as drive-through only. She said that was just how they needed  
21 to operate for the time being and told me I could fill out a  
22 transfer request form if I really wanted to.

23 JUDGE RINGLER: Now, when you offered to demote yourself  
24 to barista, what would that mean in terms of your wage?

25 THE WITNESS: I'm not sure the barista wage, but I'm --



1 I'm guessing it would be probably a four to \$5 an hour cut.

2 BY MS. SNELLING:

3 Q. So you mentioned that Greta stated that you could fill out  
4 a request form. Did you fill out a request form?

5 A. No.

6 Q. Okay. And why not?

7 A. The way she'd said it felt like it would be a waste of my  
8 time and it wouldn't be approved either way.

9 Q. Okay. Did you ask anyone else if you could transfer  
10 stores?

11 A. Yes.

12 Q. Who?

13 A. I asked Tracy.

14 Q. Okay. And when did you speak with Tracy?

15 A. A few weeks after the conversation with Greta, sometime in  
16 March of 2022.

17 Q. Okay. And where did you speak with Tracy?

18 A. In the cafe of East Robinson.

19 Q. Okay. And how did this conversation begin?

20 A. Tracy was take --

21 JUDGE RINGLER: Give me just the date that you spoke to  
22 Tracy again, approximately.

23 THE WITNESS: Oh, beginning to middle of March.

24 JUDGE RINGLER: Beginning to middle of March. That's  
25 perfect. Sorry.

1 THE WITNESS: No, you're good.

2 JUDGE RINGLER: I'm getting the name slowly, so. Okay, go  
3 ahead, Counsel.

4 BY MS. SNELLING:

5 Q. And just as a refresher, Vic, who is Tracy?

6 A. So Tracy was taking over as my district manager after  
7 Greta had left.

8 Q. Okay. And so how did the conversation with Tracy start?

9 A. It was Tracy's first day at East Robinson. So she had  
10 asked that we all go over and individually introduce ourselves  
11 and have a quick conversation with her so she could get to know  
12 us. And I introduced myself and then asked to transfer.

13 Q. Okay. And what, if anything, did she say to you after you  
14 asked to transfer?

15 A. She said the same -- basically the same thing as Greta,  
16 that there was no room for me anywhere and that I could fill  
17 out the transfer form if I really wanted to. But that there  
18 was really nowhere for me to go besides staying at East  
19 Robinson.

20 Q. Okay.

21 JUDGE RINGLER: Now, when you asked to transfer this time,  
22 were you broader in scope or were you still focused on the  
23 Williamsville store?

24 THE WITNESS: I mentioned the Williamsville Place store  
25 again, but I was, I'll go anywhere. But I do know that

1 Williamsville Place is operating as drive-through only still  
2 kind of thing.

3 JUDGE RINGLER: Okay. And her response was no room  
4 anywhere?

5 THE WITNESS: No room anywhere.

6 JUDGE RINGLER: Okay.

7 MR. BALSAM: Judge, if I make for a moment?

8 JUDGE RINGLER: Yes.

9 MR. BALSAM: Motion to move to strike any and all  
10 testimony about the so-called second transfer discussions as  
11 there's not a single allegation in the complaint that relates  
12 to a second transfer. If you look at paragraphs 9 (a) (i)  
13 talks about the first transfer request on February of '22.

14 JUDGE RINGLER: Counsel --

15 MR. BALSAM: Your Honor, I would respond and say move to  
16 strike. Also none of this is relevant.

17 JUDGE RINGLER: Counsel, do you want to respond to that?

18 MS. SNELLING: Let me pull up the complaint really  
19 quickly, Your Honor.

20 JUDGE RINGLER: Okay.

21 MS. SNELLING: It's just so that I can look at the  
22 language quickly. Your Honor, we argue that because it says  
23 about the dates that can be interpreted loosely. And so it's  
24 not just tied specifically to that February 21st date. And  
25 it's extremely relevant as Vic did try to transfer multiple

1 times.

2 JUDGE RINGLER: All right. I'll allow it in. I'm not  
3 sure whether I might ultimately find that it's not relevant.  
4 That's possible. I might also find that it's part of the same  
5 transaction related to the February 21 of '22 date. And that's  
6 just kind of a retry. Are you sure I can't do it? So I'm not  
7 certain at this point of the relevance, but I will allow it in  
8 and make a finding on that in my decision.

9 MR. BALSAM: Judge, the plain language of the text of the  
10 complaint does not suggest that there was more than one  
11 situation where this witness tried to make a transfer request.  
12 It uses the singular term request, not plural requests.  
13 Therefore, any testimony about a subsequent transfer request  
14 has nothing to do with this complaint, unfairly prejudices us  
15 because we were not prepared to talk about that. We were never  
16 aware of it. There's not a single charge, to my knowledge,  
17 that talks about this and it's unfair and requires due process  
18 --

19 JUDGE RINGLER: I appreciate that. I don't agree with  
20 you, though. And I'll just say this and I don't want to  
21 belabor it. Somebody could be fired, for example, on July 1st,  
22 and then there could be subsequent meetings, grievance meetings  
23 or whatever in August, September dealing with that same  
24 transaction and that July 1 firing. I'm not sure if this is  
25 akin to that or if this is something entirely different, and

1 you are correct. So I'll allow Counsel to do that and tie it  
2 together when you --

3 MR. BALSAM: But Judge, if they're seeking relief based on  
4 a second transfer --

5 JUDGE RINGLER: No, no. I'm only limited to finding the  
6 things in the complaint violations. So I certainly wouldn't  
7 find a second transfer violation, but it might be relevant to  
8 this. So I will allow the testimony. Go ahead, Counsel.

9 MS. SNELLING: Okay, thank you.

10 BY MS. SNELLING:

11 Q. Okay. So I think Vic, where we left off was that you  
12 spoke with Tracy about transferring and she told you there was  
13 nowhere you could go.

14 A. Yes.

15 Q. And you could fill out a transfer form if you want. But  
16 she was unsure. Did you end up --

17 MR. BALSAM: Objection. Counsel's testifying for the  
18 witness.

19 JUDGE RINGLER: Yeah. Counsel, just continue where you  
20 left off.

21 MS. SNELLING: Okay.

22 JUDGE RINGLER: The record has this testimony.

23 MS. SNELLING: Just trying to recount. Sorry, Your Honor.

24 JUDGE RINGLER: Yeah.

25 BY MS. SNELLING:

1 Q. Okay. So did you put in a transfer request after speaking  
2 with Tracy?

3 A. No.

4 Q. Okay. And why not?

5 A. I was pretty sure it was going to be futile, so I didn't  
6 even try.

7 Q. Okay. And Vic, have you ever transferred stores before?

8 A. Yes.

9 Q. Okay. And when?

10 A. In March of 2021.

11 Q. Okay. And from what store did you transfer from?

12 A. I transferred from the Walden Galleria kiosk to the East  
13 Robinson store.

14 Q. Okay. And how did that transfer process work?

15 A. I had heard that they were moving my manager who was Kayla  
16 Moore at the time to open the East Robinson location. And I  
17 told her one day at work that I would really like to go over  
18 there and move with her. And she called me a couple weeks  
19 later and asked if I would like to officially transfer over to  
20 East Robinson and be part of the shift team there. I said yes,  
21 and then I was transferred a few weeks later.

22 Q. Okay. And in your experience working for Starbucks, how  
23 would you describe transferring?

24 A. Based on my experience and things that I've heard from  
25 other partners, I would say it's pretty easy.

1 MR. BALSAM: Objection. Hearsay.

2 JUDGE RINGLER: I'll sustain.

3 MS. SNELLING: Okay.

4 BY MS. SNELLING:

5 Q. Okay. So just based solely on your experience, Vic, how  
6 would you describe transferring?

7 A. Very easy.

8 Q. Okay. And are you aware of any restrictions on  
9 transferring?

10 A. I believe there's something about if you have a  
11 disciplinary action, but I'm not sure.

12 Q. Okay. And so at the time that you were asking to  
13 transfer, did you have a disciplinary action on your record at  
14 that time?

15 A. I didn't think so, no.

16 Q. Okay. And Vic, did you ever receive disciplinary action  
17 from Starbucks?

18 A. Yes.

19 Q. Okay. And what disciplinary actions did you receive?

20 A. I have a write-up from 2017, a documented coaching from  
21 2019, and a final written warning from May of 2022.

22 Q. Okay. We'll focus on the final written warning for right  
23 now. So when did you receive your final written warning?

24 A. Sometime in late May of 2022.

25 Q. Okay. And so on the day that you received your final

1 written warning, were you working that day?

2 A. I was.

3 Q. Okay. And what happened when you went to work that day?

4 A. I worked the -- almost entirety of my shift and Josie  
5 Haven, who was my store manager at the time, came back in  
6 around I would say 8:00 with Sebastian Garcia, who at that time  
7 was the store manager of the Main Street location and they had  
8 asked to speak to me in the back of the house.

9 Q. Okay. And did you go to the back of the house?

10 A. I sure did.

11 Q. Okay. And so when you went to the back of the house, who  
12 was there?

13 A. Josie and Sebastian met me back there.

14 Q. Okay. Was anyone else in the back?

15 A. No.

16 Q. Okay. And what happened when you went into the back?

17 A. Josie handed me my final written warning and then read it  
18 aloud to me.

19 Q. Okay. And who is Josie?

20 A. She was my proxy store manager at the time.

21 Q. Okay. And you may have mentioned this, but who's  
22 Sebastian?

23 A. He was the store manager at Main Street.

24 Q. Okay.

25 A. At that time.



1 Q. And did you record this interaction with them?

2 A. I did not.

3 Q. Okay. I think that you mentioned they read the -- gave  
4 the final written warning. If I showed you a copy, would you  
5 recognize it?

6 A. Yes.

7 Q. I'm distributing what's pre-marked as GC Exhibit 3.

8 A. Thank you.

9 Q. Okay. Vic, do you recognize this?

10 A. I do.

11 Q. Okay. What is this?

12 A. This is my final written warning.

13 (General Counsel's GC-3 identified)

14 Q. Okay. And just to clarify, is this the exact copy that  
15 you received or a picture of it?

16 A. This is a picture of it.

17 Q. Okay. And when you had this meeting with Josie and  
18 Sebastian, did you sign the final written warning?

19 A. I did.

20 Q. Okay. And so this copy is not signed, correct?

21 A. Yes.

22 Q. Okay. Do you know where the signed copy is?

23 A. Josie kept that copy and gave me a blank copy.

24 Q. Okay. But to the best of your recollection, this is a  
25 complete and accurate copy of what you received that day?

1 A. Yes.

2 Q. Okay. Okay. I think that you said that Josie read the  
3 final written warning to you in the meeting. Was there  
4 anything else that was said in the meeting?

5 A. Yes. She asked me after she read it if I had any comments  
6 or questions to give her.

7 Q. Okay. And what, if anything, did you say?

8 A. I said that I felt that this written warning was illegal  
9 and that if she wanted to talk about it again, I would give her  
10 the phone number to my attorney.

11 Q. Okay. Okay. And what happened after you said that?

12 A. I got up and I finished the rest of my shift.

13 Q. Okay. So looking at the write-up, it says, and within the  
14 box it says, "Statement of situation" under that, in that box.  
15 The second line it says, "On May 7th, Victoria left cash  
16 unsecured in closed till drawers". Do you agree with that?

17 A. Yes.

18 Q. Okay. And why do you agree with that?

19 A. On May 7th, I led my coworkers in a walkout on an unfair  
20 labor practice strike, and I left the drawers in the locked  
21 registers with the register keys locked in the safe.

22 Q. Okay.

23 MS. SNELLING: And Your Honor, I'm going to move GC  
24 Exhibit 3 into evidence.

25 JUDGE RINGLER: Any objection to GC-3?

1           MR. BALSAM: Judge, this may be an issue that's going to -  
2   - well, we'll see it a few times until Counsel of the General  
3   Counsel has the ability to review our production. But this is  
4   not a signed copy by anyone. And therefore, the extent that we  
5   can replace the signed versions with the unsigned versions, I  
6   wouldn't allow this to come in. But until that time, this is  
7   not the accurate document.

8           JUDGE RINGLER: All right. So what I'm going to do is,  
9   I'm going to admit GC-3. If you feel the need to offer a  
10   Respondent exhibit that parallels that and signed, I won't stop  
11   you from doing that.

12          MR. BALSAM: Okay. That's fine. Just for housekeeping  
13   purposes and trying to make the record as clean as possible,  
14   does it just make sense to swap out the signed versions?

15          JUDGE RINGLER: So I'm not a big fan of doing that.

16          MR. BALSAM: That's fine.

17          JUDGE RINGLER: Yeah.

18          MR. BALSAM: Okay. Fair enough.

19          JUDGE RINGLER: But if you want to -- if you feel there's  
20   a need to get a signed one in, that's fine.

21          MR. BALSAM: Okay.

22          JUDGE RINGLER: If you feel that no, it's the same, the  
23   unsigned one's fine too.

24          MR. BALSAM: All right.

25          JUDGE RINGLER: I'll leave that to you.

1 MR. BALSAM: All right. Well, then Starbucks, we object  
2 to the introduction of this document.

3 JUDGE RINGLER: Okay. Understood.

4 MR. BALSAM: It's not the accurate business record.

5 JUDGE RINGLER: Understood. So I will admit GC-3 and if  
6 Starbucks wants to offer a Respondent exhibit that's signed by  
7 the manager and the witness, that is more than fine as well.  
8 So all right.

9 (General Counsel's Exhibit 3 is received.)

10 JUDGE RINGLER: You were saying, just to catch up, that  
11 you left the drawer. Just tell me the circumstance of leaving  
12 the drawer one more time.

13 THE WITNESS: So I led my coworkers in a walkout on unfair  
14 labored practice strike. And so all of the cash drawers were  
15 locked in the register with the register keys in the arms safe.

16 JUDGE RINGLER: Okay.

17 BY MS. SNELLING:

18 Q. Okay. And why did you go on strike, Vic?

19 MR. BALSAM: Objection. Relevance.

20 JUDGE RINGLER: I'll allow it. Go ahead.

21 THE WITNESS: The night before, I had a coworker who  
22 became physically ill. And when I walked in on the morning of  
23 May 7th, I found a bucket of vomit. And we also had a -- I  
24 don't remember exactly how many call-offs, but we had a very  
25 decent number of call-offs that made it incredibly hard to

1 operate the store.

2 BY MS. SNELLING:

3 Q. Okay. And when you went on strike and led the walkout,  
4 did you let anyone from management know?

5 A. Yes.

6 Q. Okay. Who did you let know?

7 A. Gaven.

8 Q. Okay. And who is Gaven?

9 A. He was the manager of Transit Commons. He was our proxy  
10 manager because Josie was out of town.

11 Q. Okay. And so what is a proxy manager?

12 A. It's -- it's a manager that -- from a different store that  
13 will watch your store while your store manager's out of town.  
14 I hesitate to use the word babysitter, but I think it fits.

15 Q. Okay.

16 MR. BALSAM: Objection. Move to strike.

17 JUDGE RINGLER: I'll overrule. I don't think that hurts  
18 or helps in any way. It's just a term, so it's fine.

19 BY MS. SNELLING:

20 Q. Okay. And how did you communicate that you were leading a  
21 walkout?

22 A. We sent a strike letter and I had also told Gaven that we  
23 were walking out.

24 Q. Okay. And how did you tell Gavin?

25 A. I texted him.

1 Q. Okay. And prior to going on strike, did you speak with  
2 anyone?

3 A. Yes.

4 Q. Okay. Who did you speak with?

5 A. Jaz Brisack.

6 Q. Okay. And when did you speak with Jaz?

7 A. I would say around 10, 10:30 in the morning, I called her.

8 Q. Okay.

9 JUDGE RINGLER: Spell the name for me.

10 THE WITNESS: Jaz is J-a-z.

11 JUDGE RINGLER: Okay.

12 THE WITNESS: I -- you are going to be hard-pressed to get  
13 me to spell Brisack correctly, so sorry about that.

14 JUDGE RINGLER: You've got it in the complaint, I'm  
15 assuming?

16 MS. SNELLING: Yep. Jaz is named in the complaint.

17 JUDGE RINGLER: Do you want to spell it for me?

18 MS. SNELLING: Yes. I actually have it pulled up right  
19 here. It's B-r-i-s-a-c-k.

20 JUDGE RINGLER: Okay.

21 MS. SNELLING: Okay.

22 JUDGE RINGLER: Thank you.

23 MS. SNELLING: Yep. Sorry.

24 JUDGE RINGLER: All right. Not a problem.

25 BY MS. SNELLING:

1 Q. And Vic for clarification, who is Jaz?

2 A. Jaz is -- she did work at the Elmwood store and she is the  
3 person that helps me organize East Robinson.

4 Q. Okay. Okay. And so how did you speak with Jaz?

5 MR. BALSAM: Judge, may I just reiterate my objection to  
6 any of this testimony as being completely irrelevant to the  
7 allegations in this complaint?

8 JUDGE RINGLER: Counsel, you could respond.

9 MS. SNELLING: Yeah. I'm laying foundation for Vic to  
10 talk about her conversation with Jaz which is why she took the  
11 actions that she did when she left the cash in the till.

12 JUDGE RINGLER: Okay.

13 MR. BALSAM: But again, Judge, it goes to the point of the  
14 initial objection that I had was, what this witness is talking  
15 about has nothing to do with what occurred. Yes, we understand  
16 there was a walkout, right? The allegation in this complainant  
17 that we unfairly issued a final warning based on what the  
18 witnesses admitted to doing. So why does it matter why they  
19 walked out?

20 JUDGE RINGLER: Well, I think, if I'm not mistaken,  
21 Counsel, you're getting into the cash being left unsecured and  
22 whether it's accurate that it was unsecured or not.

23 MS. SNELLING: Yes. And Your Honor --

24 JUDGE RINGLER: Is that correct?

25 MS. SNELLING: Yes. And we would also mention that it is

1 extremely pertinent that Vic led a walkout and then was  
2 subsequently disciplined after.

3 JUDGE RINGLER: Okay.

4 MS. SNELLING: For, in our argument, something that people  
5 typically aren't disciplined for.

6 MR. BALSAM: Judge, we already have a witness testifying  
7 that there was a walkout. That's all you need. You don't need  
8 all this extra --

9 JUDGE RINGLER: I understand. I'll permit the testimony.  
10 Go ahead.

11 MS. SNELLING: Okay. Okay. I'm going to repeat this  
12 question, Vic.

13 JUDGE RINGLER: Go ahead.

14 BY MS. SNELLING:

15 Q. How did you speak with Jaz?

16 A. I called her.

17 Q. Okay. And what did you discuss when you spoke with her on  
18 the phone?

19 MR. BALSAM: Objection. Relevance.

20 JUDGE RINGLER: Overruled.

21 THE WITNESS: I called her and I told her what was going  
22 on at East Robinson and said that my coworkers and I had been  
23 talking and that we were interested in walking out on strike,  
24 but I didn't know how to do it and they needed her help.

25 BY MS. SNELLING:



1 Q. Okay. And so what happened after you told her that?

2 A. She came to the store.

3 Q. Okay. And approximately when did she come to the store?

4 A. I would say --

5 MR. BALSAM: Objection. Relevance.

6 JUDGE RINGLER: Overruled.

7 THE WITNESS: Sometime between 11:00 a.m. and noon.

8 BY MS. SNELLING:

9 Q. Okay. And what happened when Jaz arrived?

10 A. Jaz came into the store, we spoke about how exactly  
11 logistically we would walk out on the strike. So I had  
12 specifically asked about the cash and we agreed that it has  
13 happened before in other stores, and also people would leave a  
14 singular drawer in the register at a time and not like  
15 accidentally overnight and nothing happened. So we decided it  
16 was okay. We started -- my barista started cleaning the store  
17 as fast as they could to kind of prepare for the next day so  
18 that the opening shift wasn't totally slammed with things and  
19 then we walked out.

20 Q. Okay. So you said that it would be okay to leave the cash  
21 on the register. Why did you conclude that?

22 A. Because it had happened before where the closing  
23 supervisor would leave a drawer in -- a till drawer in the  
24 locked register overnight and nearly nothing happened to them.  
25 And then Jaz said there were a few instances of other people

1 walking out on strike and leaving the cash in the drawers and  
2 that nothing had happened.

3 Q. Okay. And so you mentioned people would do this when they  
4 were closing their shifts. So in your experience, how  
5 frequently would that happen?

6 MR. BALSAM: Objection. How would this witness know what  
7 happened in other stores? She testified to one --

8 JUDGE RINGLER: Sustained, sustained. You can stop.  
9 Sustained.

10 BY MS. SNELLING:

11 Q. Did this ever happen in your store, Vic?

12 A. Yes.

13 Q. Okay. And so in your experience, how frequently would  
14 this happen in your store?

15 A. One or two times a month I would say.

16 Q. Okay. And just for clarification, what happened to those  
17 individuals when they would leave cash in the drawer?

18 A. Typically, there would be a note left in the Daily Records  
19 book. Just, you know, register two was left overnight or a  
20 verbal communication that was like, hey, you left the drawer in  
21 the till overnight. And then just, oh, I'm sorry, it won't  
22 happen again, kind of thing.

23 Q. Okay. And what is the Daily Records book?

24 A. It's a book that has the temperature logs and then has  
25 pages for each day so that the shift team and managers can

1 leave notes and communicate to each other in case they don't  
2 see each other physically.

3 Q. Vic, if you still have your final written warning flipped  
4 over, I'm going to reference that again quickly. It also says  
5 on that second line that we referenced previously that the  
6 drive-through window was unlocked and unsecured overnight. Did  
7 you know that the drive-through was unlocked and unsecured that  
8 evening?

9 A. I wasn't sure about it.

10 Q. Okay. And why weren't you sure?

11 A. I had a barista who was standing over there in the drive,  
12 it's like a little cubby. And I had asked her to, you know,  
13 lock the drive-through as we do when we're closing and I forgot  
14 to double check it.

15 Q. Okay. And at your store, have other employees left the  
16 drive-through window unlocked previously?

17 A. I'm sure.

18 Q. Okay. And why are you sure?

19 A. Especially when we first transferred over, I had  
20 transferred with somebody else from the kiosk, so we weren't  
21 used to closing entire stores down. So I know that he had left  
22 a door unlocked at one point. I know that I had forgotten to  
23 close the drive-through when I first started working there just  
24 because it was something that we weren't used to. It wasn't in  
25 our routine to do.

1 Q. Okay. And I know you mentioned that you forgot at one  
2 point. What, if anything, happened to you after you forgot?

3 A. It was just a conversation with my old manager, Kayla  
4 Moore, that, you know, she understood that it was kind of a  
5 learning curve for me to get used to handling a drive-through,  
6 especially at closing.

7 JUDGE RINGLER: So I've got a question for you.

8 MS. SNELLING: Yeah.

9 JUDGE RINGLER: Did all of the employees in the store join  
10 the ULP strike?

11 THE WITNESS: Yes. Yes.

12 JUDGE RINGLER: So you left the store. Was there a store  
13 manager left behind?

14 THE WITNESS: No.

15 JUDGE RINGLER: Okay.

16 THE WITNESS: We all walked out.

17 JUDGE RINGLER: And when you folks left, did you also lock  
18 the doors --

19 THE WITNESS: Yes.

20 JUDGE RINGLER: -- to the store?

21 THE WITNESS: Yes.

22 JUDGE RINGLER: Okay. And if somebody wanted -- somebody  
23 say, came through the drive-through window, hypothetically  
24 speaking, right, how could they have gotten into the cash  
25 register?

1 THE WITNESS: It would be, in my opinion, first of all,  
2 hard to open the drive-through window even without the bar up  
3 because of the latch mechanism that's on the inside. And then  
4 you'd have to shimmy up into the store and then you would have  
5 to physically remove the register drawer from the register. So  
6 you'd have to pull it out, disconnect all the cords, and then  
7 somehow pry it open without the key, which I'm not sure how you  
8 do.

9 JUDGE RINGLER: Okay. And then what time did the ULP  
10 strike begin? I'm not sure that we have that on the record.

11 THE WITNESS: I think it's sometime between noon and 1.  
12 It was early afternoon for sure.

13 JUDGE RINGLER: And did the strike occur, the picketing,  
14 if there was picketing?

15 THE WITNESS: Uh-huh (affirmative).

16 JUDGE RINGLER: Did that occur outside the store?

17 THE WITNESS: Yes.

18 JUDGE RINGLER: Okay. And then at what point did the  
19 acting, I'll call acting manager, show up at the store, if at  
20 all?

21 THE WITNESS: Not that day, for sure, unless it was after  
22 we left, but --

23 JUDGE RINGLER: All right. So one more time. The  
24 picketing began, you said at about noon?

25 THE WITNESS: Yeah.

1 JUDGE RINGLER: What time did you stop picketing?

2 THE WITNESS: I want to say between 5 and 6, but that  
3 one's also a little washy. We were out there for a few hours  
4 though. I got sunburned.

5 JUDGE RINGLER: Okay. And during that noon to 5 to 6 p.m.  
6 periods, did you observe anybody attempt to access the store?

7 THE WITNESS: No.

8 JUDGE RINGLER: Okay. Including your acting supervisor?

9 THE WITNESS: Yeah.

10 JUDGE RINGLER: Or anyone else from admin?

11 THE WITNESS: Nobody. We had a couple of customers come  
12 up and ask what was going on and we told them and they left,  
13 but that's about all that happened.

14 JUDGE RINGLER: Okay. And at what time -- one more time,  
15 you probably said it and I'd have to look back at my notes.  
16 What time did you notify the acting supervisor about the  
17 walkout strike?

18 THE WITNESS: As we were walking out, I had texted him.

19 JUDGE RINGLER: So about noon?

20 THE WITNESS: Yes.

21 JUDGE RINGLER: Okay. Okay. Okay, go ahead, Counsel.

22 BY MS. SNELLING:

23 Q. And so Vic, when you forgot to lock the drive-through  
24 window that first time when you initially transferred, when did  
25 that happen?

1 A. March, April of 2021, sometime.

2 Q. Okay. And I know you mentioned you knew other people who  
3 had left things unlocked.

4 A. Yes.

5 Q. And what did they leave unlocked?

6 A. The patio door.

7 Q. Okay. And what, if anything, happened to them when they  
8 left the patio door unlocked?

9 A. I know at some point my coworker that did it had received  
10 a written warning.

11 Q. Okay.

12 A. About it.

13 Q. Okay. And when did that happen?

14 A. I think fall of 2021, sometime. I don't remember exactly.

15 Q. Okay. And was that the first time, to the best of your  
16 knowledge, he left the door unlocked?

17 A. No. No, I don't think so.

18 Q. Okay.

19 JUDGE RINGLER: One more question for me and then I'll  
20 leave this alone. So you locked the doors to the store?

21 THE WITNESS: Yes. Like the door.

22 JUDGE RINGLER: Okay. And the drive-through window was  
23 left open?

24 THE WITNESS: Yeah. It was latched, but the bar was not.  
25 There's a bar --

1 JUDGE RINGLER: Okay, latched, but no bar. Okay.

2 THE WITNESS: -- that prevents anybody from opening it.

3 JUDGE RINGLER: All right. So is the bar like, kind of  
4 like a secondary system? Like, would the latch prevent me from  
5 sliding it open?

6 THE WITNESS: I believe so. To open the -- so there's  
7 like a -- I don't know how to describe it. But there's a  
8 little piece like this, and then there's a handle on the drive-  
9 through window.

10 JUDGE RINGLER: You're kind of showing the clasp with your  
11 hand.

12 THE WITNESS: Yeah, and then they -- they interlock like  
13 this. And then to open the drive-through window, you have to  
14 pull this back and pull the window back at the same time.

15 JUDGE RINGLER: You have to lift the latch.

16 THE WITNESS: Yes.

17 JUDGE RINGLER: Okay.

18 MS. SNELLING: And is that from inside the store, Vic?

19 THE WITNESS: Yes. There's nothing on the outside of the  
20 store to help.

21 JUDGE RINGLER: And to lead to my question.

22 THE WITNESS: Yeah.

23 JUDGE RINGLER: Is there also an alarm system on the  
24 store?

25 THE WITNESS: On the window? There's a --



1 JUDGE RINGLER: Not on the window, but the front of the  
2 store, there's an alarm?

3 THE WITNESS: Yeah, there's an alarm code that when  
4 triggered, will call the police.

5 JUDGE RINGLER: Okay. Did you folks arm that when you  
6 locked the store?

7 THE WITNESS: I don't remember actually.

8 JUDGE RINGLER: Okay.

9 THE WITNESS: I'm so sorry.

10 JUDGE RINGLER: That's fine.

11 BY MS. SNELLING:

12 Q. Vic, how many doors do you have to lock when closing the  
13 store?

14 A. There is a back of house door that locks automatically  
15 when it's closed, but you have to make sure it's closed and  
16 then you have to physically lock with the key, the patio door,  
17 and the two front doors.

18 Q. Okay. So was this -- you can flip over the final written  
19 warning, Vic. Yeah, you can flip it over. Thanks. And was  
20 this the only discipline that you received by Starbucks?

21 A. I thought it was at the time, but I later learned that it  
22 was not.

23 Q. Okay. And when did you learn about other disciplines?

24 A. During my unemployment hearing.

25 Q. Okay. We'll come back to that shortly. So after the

1 strike, did you return to work?

2 A. Yes.

3 Q. Okay. When did you return?

4 A. In our letter we said that we would unconditionally return  
5 to work the next day. But the opening supervisor was sick, so  
6 Starbucks opted to keep the store closed for another day, and  
7 then which would make May 9th the next day, but the store was  
8 open.

9 Q. Okay. And did you work on May 9th?

10 A. I don't remember.

11 Q. Okay. Your final written warning is dated May 22nd. So  
12 between returning to work and May 22nd, did anyone discuss with  
13 you from management the issue with the cash drawer in the  
14 window?

15 A. Yes.

16 Q. Okay. Who?

17 A. Josie Havens.

18 Q. Okay. And when?

19 A. Probably a week before I received my write-up.

20 Q. Okay. And where did you have this conversation with  
21 Josie?

22 A. It was in the East Robinson store.

23 Q. Okay.

24 A. In this kind of weird little hallway thing.

25 Q. Okay. And was anyone else present?

1 A. No.

2 Q. Okay. And how did the conversation start?

3 A. She told me that I had left the cash in the register  
4 drawers and that the drive-through window had been left  
5 unlocked when we walked out on strike. And I apologized, she  
6 said you can't leave the store like that. Something -- she  
7 said something to the effect of something is going to happen.  
8 I'm trying my best, but you have to understand you can't leave  
9 the store like that.

10 Q. Okay. Did she say anything else after telling you that?

11 A. No. I said I understood the policy, but that we had  
12 walked out on strike and then the conversation was over after  
13 that.

14 Q. At any point did she warn you that you were going to be  
15 disciplined for this?

16 MR. BALSAM: Objection. Leading.

17 JUDGE RINGLER: Overruled. Go ahead.

18 THE WITNESS: In the conversation she said something was  
19 going to happen because you can't leave the store like that,  
20 but that she was trying her best.

21 Q. Okay. Trying her best how?

22 A. I --

23 MR. BALSAM: Objection. This witness can't testify for  
24 the mindset of someone else who's going to testify in this  
25 case.

1 JUDGE RINGLER: Sustained. She said, I'm going to try my  
2 best. Did she explain what she meant?

3 THE WITNESS: No.

4 JUDGE RINGLER: Okay.

5 MS. SNELLING: Okay.

6 JUDGE RINGLER: Go ahead.

7 BY MS. SNELLING:

8 Q. And after this conversation, did you speak with anyone  
9 else from management about the cash being unsecured and the  
10 window being unlocked?

11 A. No.

12 Q. Okay. And did you record that conversation with Josie?

13 A. No.

14 Q. Okay. Turning back to the strike, did you take any photos  
15 while you were out on strike?

16 A. Yes.

17 Q. What was the photo of?

18 A. There are a few photos of all of us in front of the store  
19 holding up our strike signs.

20 Q. Okay.

21 A. That we had made.

22 Q. And when you say all of us, who are you referring to?

23 A. Myself and then our coworkers who had walked out with me,  
24 and then some other coworkers who showed up at the picket line  
25 to show support for us.

1 Q. Okay. And did you ever post that photo anywhere?

2 A. I did.

3 Q. Okay. And where did you post it?

4 A. I posted it on my Instagram and I also think a news outlet  
5 had it.

6 Q. Okay. And did you ever see that photo again?

7 A. Yes.

8 Q. Where?

9 A. It was Josie's lock screen on her phone.

10 Q. Okay. Josie, your manager?

11 A. Yes.

12 Q. Okay. When did you see it as her lock screen?

13 MR. BALSAM: Objection. Relevance.

14 JUDGE RINGLER: I'll allow it.

15 THE WITNESS: Probably a week before she wrote me up.

16 BY MS. SNELLING:

17 Q. Okay. Did you ask about it?

18 A. I pointed it out.

19 Q. Okay. And just for clarification, what is a lock screen?

20 A. It's -- oh, I don't know how to -- it's the -- there's a  
21 typically a photo that shows up on your locked phone, just kind  
22 of like a screensaver display.

23 Q. Okay. And I'm sorry, did you ask about it?

24 A. Yeah, I pointed it out to her.

25 Q. Okay. And what did you say?

1 A. I think I just said something along the lines of like, oh,  
2 that's me.

3 Q. Okay. And what did she say in response?

4 A. She said that our strike signs had hurt her feelings,  
5 specifically the one that says bring back the care for  
6 partners.

7 Q. Okay. So what was in the photo of you individuals?

8 A. It was -- I know I'm in there holding up -- in a red  
9 sweatshirt, holding up a sign that says, "Tell Starbucks to end  
10 the war on workers". And then one of my coworkers is kneeling  
11 in front of me holding up a sign that said, "Bring back the  
12 care for partners". And then there were a couple other people  
13 holding similar signs.

14 Q. Okay.

15 A. Outside of the store.

16 Q. Okay. And after she said the signs made her cry, did she  
17 say anything else?

18 MR. BALSAM: Objection. She didn't say that.

19 JUDGE RINGLER: Well, she didn't say cry. She said hurt  
20 her feelings.

21 MS. SNELLING: Oh, hurt her feelings. I apologize.

22 JUDGE RINGLER: So sustained.

23 MS. SNELLING: Okay.

24 BY MS. SNELLING:

25 Q. Did she say anything else after she said that?

1 A. She asked me if I -- if I thought that she didn't care  
2 about me.

3 Q. Okay. And what, if anything, did you say in response?

4 A. I didn't really know how to answer it, so I think I just  
5 said something along the lines of like, no, you're fine.

6 Q. Okay. And how did the conversation end?

7 A. I just went back to work, just walked away and went back  
8 to work.

9 Q. Okay.

10 JUDGE RINGLER: Now, did you separately text her this  
11 photo?

12 THE WITNESS: No.

13 BY MS. SNELLING:

14 Q. Okay. And Vic, were you disciplined after the final  
15 written warning?

16 A. Yes.

17 Q. Okay. What type of discipline?

18 A. I was fired.

19 Q. Okay. And when?

20 A. June 22nd.

21 Q. Okay. We're --

22 JUDGE RINGLER: What am I hearing? Let's go off the  
23 record for a moment.

24 (Off the record.)

25 JUDGE RINGLER: We went off the record for a minute.

1 Member of our audience was accidentally playing their phone and  
2 they went outside the room to silence their phone so we can  
3 continue with the testimony. Okay.

4 MS. SNELLING: Okay.

5 JUDGE RINGLER: So you were starting that you were fired,  
6 you said on June 22nd?

7 THE WITNESS: Yes.

8 JUDGE RINGLER: Okay.

9 MS. SNELLING: Okay.

10 JUDGE RINGLER: And then Counsel, I think that's where you  
11 left off.

12 MS. SNELLING: Great. Thanks.

13 JUDGE RINGLER: Yes.

14 BY MS. SNELLING:

15 Q. Were you scheduled to work on June 22nd?

16 A. I was.

17 Q. Okay. And was this June 22nd, 2022?

18 A. Yes.

19 Q. Okay. And did you go to work?

20 A. I did.

21 Q. Okay. What happened when you arrived at work?

22 A. Josie walked up to me as I was doing my COVID check-in and  
23 asked to speak with me. I said yes. She walked back probably  
24 a minute later and asked to speak with me on the patio.

25 Q. Okay. And so what is a COVID check?



1 A. It's a survey that you take when you start your shift at  
2 Starbucks that asks about primary and secondary symptoms of  
3 COVID if you'd recently been exposed. And if you pass it, you  
4 are able to work, but you have to have somebody witness you  
5 take it and then sign off on it.

6 Q. Okay. And so did you end up going out to the patio?

7 A. I did.

8 Q. Okay. And what happened when you went out onto the patio?

9 A. Josie and another manager were sitting there and I sat  
10 down and Josie handed me the notice of separation and read it  
11 out loud to me.

12 JUDGE RINGLER: So let me stop. You said Josie and  
13 another manager, who's the other manager?

14 THE WITNESS: Her name is Tina.

15 JUDGE RINGLER: Tina?

16 THE WITNESS: I believe her last name is Zunner.

17 JUDGE RINGLER: Zunner?

18 THE WITNESS: Yes.

19 JUDGE RINGLER: Okay.

20 THE WITNESS: She's the manager of the UB Commons store.

21 JUDGE RINGLER: Okay.

22 BY MS. SNELLING:

23 Q. Okay. And during this meeting, did they give you  
24 anything?

25 A. Yes.

1 Q. Okay. What did they give you?

2 A. They gave me my notice of separation and a frequently  
3 asked questions packet.

4 MS. SNELLING: Okay. I'm distributing GC Exhibit 4.

5 THE WITNESS: Thank you.

6 JUDGE RINGLER: Okay. Thank you as well.

7 THE WITNESS: Sorry.

8 BY MS. SNELLING:

9 Q. And Vic, did you record this conversation?

10 A. I did.

11 Q. Okay. And how?

12 A. On my phone.

13 Q. Okay. And what type of recording was it?

14 A. It's a video recording.

15 Q. Okay. And who did you send it to, if anyone?

16 A. I sent it to the Board and to my lawyer.

17 Q. Okay. And for your notice of separation, Vic, what is  
18 this? I'm sorry.

19 A. No, you're good. It's my notice of separation.

20 Q. Okay. And you recognize it?

21 A. I do.

22 Q. Okay. And did you sign the notice of separation?

23 A. I did.

24 Q. Okay. This copy only has two signatures on it.

25 A. Yes.

1 Q. Do you have the signed copy?

2 A. I do not.

3 Q. Okay. And is this an accurate copy to the best of your  
4 recollection?

5 A. Yes.

6 MS. SNELLING: Okay. And I moved GC Exhibit 4 into  
7 evidence.

8 JUDGE RINGLER: All right. So I'm going to admit but note  
9 the standing objection from Respondent and the ongoing  
10 opportunity for Respondent to submit the only signed document  
11 if you'd like to as a Respondent exhibit.

12 MR. BALSAM: Thank you, Judge.

13 JUDGE RINGLER: Okay.

14 MR. BALSAM: Yes, sir.

15 JUDGE RINGLER: All right. So GC-4 is admitted.  
16 (General Counsel's Exhibit 4 is identified and received.)

17 BY MS. SNELLING:

18 Q. Okay. And Vic, you said that you took a video reporting  
19 of this.

20 JUDGE RINGLER: Let's go off the record for just a minute.

21 MS. SNELLING: Yes.

22 (Off the record from 2:55 p.m. to 3:24 p.m.)

23 JUDGE RINGLER: All right. GC Exhibit number 5, we'll  
24 give Counsel a chance to get yourself set up and we'll -- now,  
25 with respect to GC Exhibit 5, I'll say for the record, we've

1 all been emailed a copy of it and it is a phone/video recording  
2 of a conversation. You're not offering it for the video,  
3 correct? You're only offering it for the audio.

4 MS. SNELLING: Correct. Yes.

5 JUDGE RINGLER: All right. And I'm also going to receive  
6 within a day or so a transcript of this conversation.

7 MS. SNELLING: Yes, Your Honor.

8 JUDGE RINGLER: And then you'll offer that and we'll  
9 debate in terms of whether or not it's accurate or not. All  
10 right.

11 MS. SNELLING: Yes, Your Honor.

12 JUDGE RINGLER: All right. So I'll let you go to it.

13 MS. SNELLING: Okay. So I'll start --

14 MR. BALSAM: Make sure my audio is on.

15 MS. SNELLING: It looks like it is.

16 MR. BALSAM: Okay.

17 MS. SNELLING: Yes. Okay. So I'm now going to play the  
18 recording.

19 JUDGE RINGLER: Yeah, that's fine. Thank you so much.

20 MS. SNELLING: And do you want me to turn that up a little  
21 bit, Your Honor?

22 JUDGE RINGLER: Yes, sure. I do.

23 MS. SNELLING: And I'll start it over one more time. I  
24 know it's awkward on the floor.

25 (Whereupon, the indicated portion of the video recording was

1 played.)

2 BY MS. SNELLING:

3 Q. Okay. And Vic, who said, "Will you sign off on my thing?

4 A. Me.

5 Q. Okay.

6 (Whereupon, the indicated portion of the video recording was  
7 played.)

8 JUDGE RINGLER: Now, let me have you pause in a second.

9 MS. SNELLING: Okay.

10 JUDGE RINGLER: What I would like you to do, which I  
11 would've anticipated, is you need to ask her some foundation  
12 questions about did she record this? How did she record this?  
13 Did she record other things?

14 MS. SNELLING: I did that before we broke, Your Honor.  
15 But I can ask again.

16 JUDGE RINGLER: Did we get that in before we broke?

17 MR. BALSAM: There were some questions, Judge, that  
18 certainly I was going to allow the Counsel for the General  
19 Counsel to further explore the contents of this. But I would  
20 obviously have objections and then I would ask to voir dire the  
21 witness.

22 JUDGE RINGLER: Yeah. So if you could, just ask some more  
23 foundation questions along those lines before you start.

24 MS. SNELLING: Okay. Yes.

25 BY MS. SNELLING:

1 Q. Okay. So Vic, how did you record this?

2 A. On my phone.

3 Q. Okay. And what type of recording is it?

4 A. It's a video.

5 Q. Okay. And I think we asked this, but who did you send it  
6 to, if anyone?

7 A. The -- I sent it to the Board.

8 Q. Okay. Did you send it to anyone else?

9 A. Yes. I sent it to Ian Hayes, my lawyer.

10 Q. Okay. Who can we see in this video recording?

11 A. The first person you see who just kind of has an arm is a  
12 barista named Chris that was picking up a shift at East  
13 Robinson that day. And then for the rest of the video, you can  
14 -- you can really only see the bottom of my leg and part of my  
15 face at one point.

16 Q. Okay. And who can you hear in this video?

17 A. So you hear me, I don't know that Chris says anything that  
18 you can hear, and then you hear Josie Havens and Tina the  
19 manager from the UB Commons store.

20 Q. Okay. And where was this video taken?

21 A. At East Robinson. It starts in the store and then ends  
22 out on the patio.

23 Q. Okay. And when does it end out on the patio?

24 A. After I've been served the notice of separation, I'm  
25 getting up and walking away.

1 Q. Okay. And --

2 JUDGE RINGLER: So you recorded on your phone. What kind  
3 of phone do you have?

4 THE WITNESS: I had an iPhone X at the time.

5 JUDGE RINGLER: All right.

6 THE WITNESS: Recently upgraded.

7 JUDGE RINGLER: And then how would you go about on an  
8 iPhone X recording a video/recording of a conversation?

9 THE WITNESS: There's two buttons on the lock screen. One  
10 is a flashlight and then one is a camera. Open the camera app,  
11 hit video. I hit record.

12 JUDGE RINGLER: You hit that red button essentially?

13 THE WITNESS: Yes. Yes.

14 JUDGE RINGLER: Okay.

15 MS. SNELLING: Okay. I'll proceed with playing.

16 JUDGE RINGLER: Yes.

17 MS. SNELLING: Okay.

18 JUDGE RINGLER: Yes, go ahead.

19 MS. SNELLING: Okay. And do you want me to start over?

20 JUDGE RINGLER: No. I think you're fine at this point.

21 BY MS. SNELLING:

22 Q. Okay. And I think when I pause the video, Vic, the screen  
23 is black. What's going on at this point?

24 A. My phone is in my apron pocket and I'm walking.

25 Q. Okay. And where are you walking to?

1 A. Out to the patio.

2 Q. Okay. And we stopped that at 25 seconds.

3 (Whereupon, the indicated portion of the video recording was  
4 played.)

5 Q. Okay. I stopped at 46 seconds. Who just said hi?

6 A. That was Tina, the store manager of the UB Common store.

7 Q. Okay. And I'll resume.

8 (Whereupon, the indicated portion of the video recording was  
9 played.)

10 Q. Okay. And I think that someone said, "Nice to meet you".  
11 Who was that?

12 A. I don't know. Can you rewind it?

13 Q. Yes.

14 A. Just a smidgen.

15 Q. I'll rewind that. Okay. I've rewound it to 44 seconds.  
16 We'll play from there.

17 (Whereupon, the indicated portion of the video recording was  
18 played.)

19 Q. Okay. And so who said, "How are you"?

20 A. That was me.

21 Q. Okay.

22 (Whereupon, the indicated portion of the video recording was  
23 played.)

24 Q. Who just asked, "Have you met Tina"?

25 A. That was Josie Havens.



1 Q. Okay. And we stopped the recording at 49 seconds.

2 (Whereupon, the indicated portion of the video recording was  
3 played.)

4 Q. Okay. And just for clarification, at 1 minute and 1  
5 second, who said, "So"?

6 A. That was Josie.

7 Q. Okay.

8 (Whereupon, the indicated portion of the video recording was  
9 played.)

10 Q. And at this point in the video, Vic, do you remember what  
11 was going on?

12 A. Yeah, we were -- we were signing my notice of separation.

13 Q. Okay. And you signed it?

14 A. I did.

15 Q. Okay. And that was stopped at 2 minutes and 46 seconds.

16 (Whereupon, the indicated portion of the video recording was  
17 played.)

18 Q. Okay. And we stopped at 3 minutes and 29 seconds. Vic, I  
19 think that we heard some whimpering. Who was that?

20 A. Me.

21 Q. Okay. Just wanted to clarify.

22 (Whereupon, the indicated portion of the video recording was  
23 played.)

24 Q. Okay. And is that where the video stops?

25 A. Yes.

1 Q. Okay.

2 MS. SNELLING: And Your Honor, should I review this?

3 JUDGE RINGLER: Yes.

4 MS. SNELLING: Okay. And so we would like to enter GC  
5 Exhibit 5 recording into evidence.

6 MR. BALSAM: Voir dire?

7 JUDGE RINGLER: Yes, go ahead.

8 MR. BALSAM: Thank you.

9 VOIR DIRE

10 BY MR. BALSAM:

11 Q. The audio recording that is proposed to be GC Exhibit  
12 number 5, has it been altered or modified in any way?

13 A. No.

14 Q. You testified that you sent the audio recording to the  
15 Counsel for the General Counsel and your lawyer, Mr. Hayes; is  
16 that correct?

17 A. Yes.

18 Q. How'd you send it to them?

19 A. I texted it to Ian and I emailed it to Abby.

20 Q. Is the video file still in your cell phone?

21 A. Yeah.

22 MR. BALSAM: Judge, we would like to request that this  
23 witness allow us to inspect her audio -- the audio file to  
24 ensure that the metadata is intact, that there's been no  
25 modifications at all. Certainly the file on her phone is the

1 best evidence, not some copy that was sent to the Counsel for  
2 the General Counsel as well as Mr. Hayes.

3 JUDGE RINGLER: Okay. I'll let you continue for your voir  
4 dire. I'll think about your request.

5 MR. BALSAM: And just so you're aware, Your Honor, we will  
6 be issuing a subpoena to this witness for the same exact  
7 information I'm requesting.

8 JUDGE RINGLER: Uh-huh (affirmative).

9 MR. BALSAM: So it's going to come up at some point.

10 JUDGE RINGLER: Right.

11 MR. BALSAM: Okay.

12 BY MR. BALSAM:

13 Q. Why did you make the recording?

14 A. I was pretty sure that when Josie walked up to me that she  
15 was going to fire me, and I wanted to document it.

16 Q. What made you think that Ms. Havens was going to terminate  
17 your appointment?

18 A. Can I talk to you on the patio is usually Starbucks code  
19 for you're getting in trouble for something.

20 MS. SNELLING: Your Honor, I'm going to object to this  
21 line of questioning because this is beyond voir dire.

22 JUDGE RINGLER: It is.

23 MS. SNELLING: Respondent could do this on cross  
24 examination.

25 JUDGE RINGLER: It is. So let me ask this, Counsel. So

1 I've got her testimony that she was terminated and what the  
2 circumstances were.

3 MS. SNELLING: Uh-huh (affirmative).

4 JUDGE RINGLER: I've got the notice of separation, which  
5 details Starbucks rationale. What extra is in this video  
6 besides obviously you being upset, which is important, but I  
7 don't know that it's legally relevant. So I don't want you to  
8 take anything from what I'm saying is any umbrage to it. But  
9 I'm not really certain what the video adds in terms -- and the  
10 recording in terms of anything that's relevant to me making a  
11 decision in terms of whether the firing was unlawful or not.

12 MS. SNELLING: Yes, Your Honor.

13 JUDGE RINGLER: So what does it add? What is the  
14 additional relevance that it gives me?

15 MS. SNELLING: Yes.

16 JUDGE RINGLER: Now, I could see if they had the person  
17 who terminated her saying that we said X and Y and Z and that  
18 doesn't match up, and then maybe it's a piece of rebuttal  
19 evidence. I could see that, but I'm not really certain how in  
20 and of itself it helps.

21 MS. SNELLING: Yes, Your Honor. So within the video, and  
22 as you'll notice on the notice of separation, which we're going  
23 to talk about soon, it does say that Vic was late on June 24th  
24 when she was terminated on June 22nd. And so in the recording  
25 the manager at the time clearly states that it was because she

1 was late on June 24th. And so we wanted to get that into the  
2 record and show through this video that the manager did clearly  
3 state that as well, that it wasn't just a typo that during the  
4 termination this was being said.

5 Additionally, we have been asking all of our witnesses if  
6 they are taking recordings of things. And so in this case,  
7 because Vic did take a recording, we thought that it would be  
8 best practice to put the recording in just for clarity's sake.

9 JUDGE RINGLER: Okay. Okay. So let me just understand  
10 what you're saying. So is it your position that there was the  
11 lateness that led to a termination on June the 22nd, June the  
12 24th or both?

13 MS. SNELLING: Vic was not late on June 22nd, and she will  
14 testify to that. But that they say that she was late a date in  
15 the future.

16 JUDGE RINGLER: I see. Okay.

17 MS. SNELLING: So that is why we want to get that --

18 JUDGE RINGLER: Okay. I guess I --

19 MS. SNELLING: -- in the recording.

20 JUDGE RINGLER: Right. But that being said though, it  
21 clearly says the date in the future on the notice of  
22 separation. So I'll go back to my original question. What  
23 does the video add?

24 MS. SNELLING: Well, it's also just confirmation, and it  
25 goes along with what Vic is going to describe and in what she

1 describes in the meeting as well. So it aids in that way as  
2 well, Your Honor. So that we have provided evidence that  
3 Respondent actually said that she was late on a date that she  
4 could not have been late because it was in the future.

5 JUDGE RINGLER: Right. Right. But it says that on GC-4  
6 though. So if the recording didn't exist, I'd still have that  
7 part of it. Do you understand what I'm saying?

8 MS. SNELLING: Yes, Your Honor.

9 JUDGE RINGLER: So I'm not really seeing how having a  
10 recording of this matters in any way. It seems that it's  
11 cumulative. It seems that it's that.

12 MS. SNELLING: Okay.

13 JUDGE RINGLER: I mean, but maybe I'm missing something.  
14 Because that's why I'm not trying to put you on the spot, but  
15 I'm trying to make sure that I'm certain that I'm not missing  
16 something.

17 MS. SNELLING: Your Honor, in all honesty, we were also in  
18 addition to the reason that I stated to you about getting this  
19 on recording of what the manager said, we also err on the side  
20 of caution when we have these recordings in that we want to  
21 make sure that we're presenting, I guess, everything fully.

22 JUDGE RINGLER: Yeah, I know that. But fully sometimes --

23 MS. SNELLING: Yes.

24 JUDGE RINGLER: -- is cumulative. So what I'm going to do  
25 is I'm going to reject the recording GC-5.

1 MS. SNELLING: Okay.

2 JUDGE RINGLER: I just don't -- I think it's cumulative.  
3 I don't think it adds anything.

4 MS. SNELLING: Okay.

5 JUDGE RINGLER: I think the point that you wanted to  
6 establish with it being a different date is clearly outlined on  
7 GC-4. I can see this plain as day, she got a discipline on  
8 June 22nd, and the discipline talked about perspectively, you  
9 were late on the 24th. You could certainly get into whether  
10 she was late on the 22nd or whatever other dates you want to.  
11 I won't prevent you from doing that.

12 MS. SNELLING: Okay.

13 JUDGE RINGLER: But I just don't think that the recording  
14 is relevant.

15 MS. SNELLING: Okay. So we'll just ask that this exhibit  
16 goes into the rejected exhibit.

17 JUDGE RINGLER: Good question. And so granted,  
18 absolutely. Yes.

19 MS. SNELLING: Thank you, Your Honor.

20 JUDGE RINGLER: So our Court Reporter's going to get an  
21 emailed access to the shared exhibits. And when you do, you're  
22 going to need to take that GC Exhibit 5, which has been  
23 rejected, and save it onto NextGen and put it in the rejected  
24 exhibit folder.

25 COURT REPORTER: Okay.

1 JUDGE RINGLER: Okay. Okay.

2 BY MS. SNELLING:

3 Q. Okay. Okay. So Vic, during this meeting with Josie and  
4 Tina for -- what did they say?

5 MR. BALSAM: Objection. Witness has already testified as  
6 to what the manager said to her.

7 JUDGE RINGLER: Well, I just didn't let in the video. So  
8 she has recollection of something else. Do you want to -- you  
9 could lead her a little bit in terms of what was said just to  
10 get through this.

11 MS. SNELLING: Okay. Okay. Yeah.

12 BY MS. SNELLING:

13 Q. So Vic, when you met with Josie and Tina, did they read  
14 the notice of separation to you?

15 A. Yes.

16 Q. Okay. And what --

17 MR. BALSAM: Objection. Both the managers did not read  
18 the notice of separation. The Counsel of the General Counsel  
19 stated --

20 JUDGE RINGLER: Who read the notice of separation to you?

21 THE WITNESS: Josie Havens.

22 JUDGE RINGLER: Okay.

23 BY MS. SNELLING:

24 Q. Okay. Okay. And so during this conversation with Josie  
25 and Tina, did you say anything?



1 A. I did.

2 Q. What did you say?

3 A. I told Josie that I was disappointed in her that I --  
4 sorry.

5 JUDGE RINGLER: No, take your time. And if you need a  
6 break, please tell me if you --

7 THE WITNESS: That I believe that she was better than this  
8 and that I hoped whatever check they gave her to abandon her  
9 morals and ethics was worth it. And then I told her to have a  
10 good day and I left.

11 BY MS. SNELLING:

12 Q. Okay. And so is that the end of the conversation?

13 A. Yes.

14 Q. Okay. And please let us know if you need a minute. Okay,  
15 Vic.

16 A. Thanks.

17 MR. BALSAM: Judge, you're going to need to strike the  
18 last part of the testimony as irrelevant to this proceeding  
19 based on your prior ruling that the recording is what was set  
20 on there. We have the notice of separation. The fact of the  
21 matter is she was separated. The dialogue between the two is  
22 irrelevance to this proceeding.

23 JUDGE RINGLER: I'll allow the testimony.

24 BY MS. SNELLING:

25 Q. Okay. So turning to your notice of separation, Vic, it

1 states on June 24th, 2022, you were 29 minutes late to work.

2 Do you agree with that statement?

3 A. No.

4 Q. Why not?

5 A. I was not employed by Starbucks on June 24th nor was I  
6 even scheduled to work that day.

7 Q. Okay. And so what date were you terminated?

8 A. June 22nd.

9 Q. Okay. Since June 24th --

10 JUDGE RINGLER: Let me just interject for just a second.  
11 So at some point, did Starbucks communicate to you, we were  
12 wrong about June the 24th. You were really late on this other  
13 date that we were talking about. Did you ever get any  
14 communication to that effect?

15 THE WITNESS: I found out that they meant June 4th when I  
16 had to go to an unemployment hearing.

17 JUDGE RINGLER: Okay. And how did you find out that they  
18 really meant June 4th?

19 THE WITNESS: We asked Josie and she said that there was a  
20 typo and that Starbucks was supposed to send me a fixed  
21 document that I never received.

22 JUDGE RINGLER: Okay. And Counsel, I'll let you just jump  
23 in there.

24 MS. SNELLING: Yep. Thank you, Your Honor.

25 BY MS. SNELLING:

1 Q. So when did the unemployment hearing take place?

2 A. I don't remember. I think it was sometime in the fall.

3 Q. Okay.

4 A. Of 2022.

5 Q. Okay. And how many hearings did you have for  
6 unemployment?

7 MR. BALSAM: Objection. Relevance.

8 MS. SNELLING: Your Honor, I'm laying foundation for an  
9 exhibit that we're going to enter that --

10 JUDGE RINGLER: It's fine.

11 MS. SNELLING: Okay.

12 JUDGE RINGLER: You can answer the question.

13 MS. SNELLING: Okay.

14 THE WITNESS: I think I had three in total.

15 MS. SNELLING: Okay. And --

16 JUDGE RINGLER: Three hearing days or three separate  
17 hearings?

18 THE WITNESS: Three separate. The first one, I had to ask  
19 the judge for more time to get a lawyer. The second one, I had  
20 a lawyer, but we were asking Starbucks for documents that we  
21 needed to proceed. And then the third one was the full  
22 hearing.

23 JUDGE RINGLER: Gotcha.

24 THE WITNESS: I don't know the legal jargon for that.

25 JUDGE RINGLER: That's fine. No, you explained it well.

1 Thank you.

2 BY MS. SNELLING:

3 Q. Okay. And I know you already mentioned, but you had  
4 learned that the date stated was not the actual date or the  
5 reason for the termination. Do you remember at what hearing  
6 you learned that?

7 MR. BALSAM: Objection. Relevance. It doesn't matter.

8 JUDGE RINGLER: I think it might. So go ahead. You could  
9 answer it.

10 THE WITNESS: I believe it's the second or third.

11 BY MS. SNELLING:

12 Q. Okay. And in these unemployment hearings, was there a  
13 court reporter?

14 A. Yes.

15 Q. Okay. And so was there a transcript?

16 A. Yes.

17 Q. And did you receive that transcript?

18 A. Yes.

19 Q. And if I showed you the transcript for the hearings, would  
20 you recognize them?

21 A. I would.

22 Q. Okay.

23 MS. SNELLING: Okay. So I'm distributing GC-6 and GC-7.

24 THE WITNESS: Thank you.

25 MS. SNELLING: Okay. Sorry.

1 THE WITNESS: Thank you.

2 JUDGE RINGLER: That's fine. All right, GC-6 and GC-7.

3 BY MS. SNELLING:

4 Q. Okay. And so, Vic, what are these documents sitting in  
5 front of you?

6 A. They're the transcripts to the second and third  
7 unemployment hearings.

8 (General Counsel's GC-6 and GC-7 identified)

9 Q. Okay. And so were you present for when these transcripts  
10 were taken?

11 A. Yes.

12 Q. Okay. And so within these transcripts, are these copies  
13 complete to the best of your recollection?

14 A. Yes.

15 Q. Okay. And so within these hearings --

16 JUDGE RINGLER: Counsel, before you ask more questions,  
17 how did you obtain copies of the transcript?

18 MS. SNELLING: So Vic asked the Department of Labor for  
19 New York State and --

20 JUDGE RINGLER: Okay. So I'll let you. You're going to  
21 ask questions about it.

22 MS. SNELLING: Yes.

23 JUDGE RINGLER: Go ahead.

24 BY MS. SNELLING:

25 Q. So how did you obtain a copy of this transcript?

1 A. I requested the transcripts from the Department of Labor.

2 Q. Okay. And who did you send them to, if anything, or if  
3 anyone?

4 A. I sent them to Hayes Dolce and the Board.

5 Q. Okay. Okay. And how did you receive the transcripts?

6 A. In an encrypted email.

7 Q. Okay. And who did you receive them from?

8 A. The Unemployment Insurance Appeals Board in Brooklyn.

9 Q. Okay.

10 MS. SNELLING: Okay. So I'll move for GC Exhibit 6 and 7  
11 to be put into the record or to be admitted.

12 JUDGE RINGLER: Any voir dire?

13 MR. BALSAM: Judge, we object to the introduction of these  
14 exhibits as unrelated and irrelevant to this current proceeding  
15 for substantially the same reasons as you're not going to  
16 accept into evidence Judge Rosas' decision. The transcript for  
17 this is not helpful. The witness can testify about what  
18 transpired there.

19 If this is going to show that the witness was presented a  
20 document that had the incorrect date of her separation versus  
21 the correct date, which presumably came out during this  
22 transcript, she's already testified to that. So I'm not sure  
23 what helpful evidence this provides or that it's even  
24 admissible in this proceeding.

25 MS. SNELLING: Your Honor, I'll be asking further

1 questions of Vic to establish why it's extremely helpful. I  
2 can ask that before it's admitted if you'd like or if it's --

3 JUDGE RINGLER: So is there information here beyond the  
4 June 4th date, or is it that you're offering these to show us  
5 the confirmation of the June 4th?

6 MS. SNELLING: Yes, this is - I'm offering to show the  
7 confirmation of this and then to also just show the  
8 Respondent's stance on the exact date.

9 JUDGE RINGLER: Okay.

10 MS. SNELLING: Because that was asked in this.

11 JUDGE RINGLER: I think it's certainly relevant for that  
12 purpose and I think it's appropriate for them to take judicial  
13 notice of the New York State Agency and their transcript of  
14 their proceedings. So I will admit GC-6 and 7.  
15 (General Counsel's Exhibit 6 and Exhibit 7 are received.)

16 JUDGE RINGLER: But I will caution you Counsel that either  
17 through the witness or certainly in your brief, if there are  
18 particular provisions of this, I'll read it.

19 MS. SNELLING: Sure.

20 JUDGE RINGLER: But if there are particular things that  
21 lend themselves to your case --

22 MS. SNELLING: Yes. I'll point them out.

23 JUDGE RINGLER: -- then certainly let me know that.

24 MS. SNELLING: I will.

25 JUDGE RINGLER: Okay. Thank you.

1 MS. SNELLING: Thank you.

2 BY MS. SNELLING:

3 Q. Okay. Okay. So you found out that it was because you  
4 were late on June 4th. Were you late on June 4th?

5 A. I believe so.

6 Q. Okay. And approximately how late do you believe you were?

7 A. 29 minutes.

8 Q. Okay. And so prior to being terminated, was there any  
9 other date that you remember being late to work?

10 A. Yes.

11 Q. When?

12 A. May 26th.

13 Q. Okay. And so how late were you?

14 A. I believe I was 40 to 45 minutes late.

15 Q. Okay. And why were you late on May 6th?

16 A. I accidentally overslept.

17 Q. Okay. And what shift were you working that day?

18 A. In opening.

19 Q. Okay. And why were you late on June 4th?

20 A. I accidentally overslept.

21 Q. Okay. And what shift were you working?

22 A. In opening.

23 Q. Okay. And what time does an opening shift start?

24 A. I don't remember the exact time. Our store hours had  
25 changed, so I believe it was 5 or 5:30 a.m.



1 Q. Okay. And were you ever spoken to about being late?

2 A. Yes.

3 Q. Okay. And when was that?

4 A. A few weeks before I was fired.

5 Q. Okay. And what instance were you spoken to about?

6 A. I'm not sure.

7 Q. Okay. And who spoke to you?

8 A. Josie Havens.

9 Q. Okay. And how did this conversation start?

10 A. She asked me if I was okay.

11 Q. Okay.

12 A. Because she noticed I had been late and that I was

13 typically very early to my shifts. And so she wanted to know  
14 if I was okay.

15 Q. Okay. And what, if anything, did you say?

16 A. I said no and that I was feeling overworked and exhausted.

17 Q. Okay. And what, if anything, did she say to that?

18 A. To the best of my recollection, she just kind of said  
19 like, oh, okay. Sorry about that. And it ended there.

20 Q. Okay. And so at any point in time, did the employer state  
21 that they terminated you because you were also late on May  
22 26th?

23 A. No.

24 Q. Okay. And have you ever heard of someone being terminated  
25 over one instance of tardiness?

1 A. No.

2 Q. Okay. And since you said that you had overslept, did you  
3 do anything to ensure you wouldn't be late in the future?

4 A. Yes.

5 Q. Okay. And what did you do?

6 A. I had requested new availability that would take opening  
7 out of my availability.

8 Q. Okay, great.

9 MS. SNELLING: Your Honor, can I have just a moment to  
10 confirm with my co-counsel?

11 JUDGE RINGLER: Absolutely.

12 MS. SNELLING: And so just a few more questions, Vic.

13 THE WITNESS: Okay.

14 JUDGE RINGLER: Go ahead.

15 BY MS. SNELLING:

16 Q. And you said you overslept. Why did you oversleep?

17 MR. BALSAM: Objection. Relevance.

18 MS. SNELLING: This is going to why she's late, Your  
19 Honor.

20 MR. BALSAM: It doesn't matter.

21 JUDGE RINGLER: Sustained.

22 MS. SNELLING: Okay. No further questions, Your Honor.

23 JUDGE RINGLER: All right. And then Counsel, I'm going to  
24 ask you an evidentiary question.

25 MS. SNELLING: Okay.

1 JUDGE RINGLER: At some point I'm guessing that you're  
2 going to provide evidence of these other employees who were  
3 late or that kind of thing, right? Is that a possibility?

4 MS. SNELLING: Yes, Your Honor. And we also subpoenaed  
5 comparatives as well.

6 JUDGE RINGLER: Okay. So what I will suggest to you,  
7 assuming that they have so many employees and so many stores at  
8 issue, that rather than just dropping, hey, all these Excels  
9 spreadsheets on me showing people's clocking times and  
10 everything else, that you also prepare some kind of summary as  
11 well.

12 MS. SNELLING: Okay.

13 JUDGE RINGLER: So that's just a heads up. You don't have  
14 to.

15 MS. SNELLING: Okay.

16 JUDGE RINGLER: But it would certainly hone in on where  
17 you're coming from with respect to disparate treatment  
18 evidence, if any.

19 MS. SNELLING: Okay.

20 JUDGE RINGLER: So that is just a polite suggestion.

21 MS. SNELLING: And would that be for the brief, Your  
22 Honor, or do you want that --

23 JUDGE RINGLER: Well, I think it would be helpful if it  
24 were an exhibit.

25 MS. SNELLING: Okay.

1 JUDGE RINGLER: I don't know how good you are with Excel,  
2 but anyway. So that's a suggestion of something to just be  
3 aware of that would be helpful. Okay. So do we have an  
4 affidavit for this one? Oh, I'm sorry. Charging Party  
5 Counsel, do you have anything you want to ask?

6 MR. DOLCE: Could I just have one second?

7 JUDGE RINGLER: Yeah.

8 MR. DOLCE: Yeah. Just a couple questions.

9 JUDGE RINGLER: Go ahead.

10 DIRECT EXAMINATION

11 BY MR. DOLCE:

12 Q. Vic, you testified before that you were working about 30  
13 to 35 hours when you started. Was that about the same around  
14 this period?

15 A. I believe so. Yes.

16 Q. At that time or before the Union campaign, did you ever  
17 work shifts where you would close the night before and then  
18 open the next morning?

19 MR. BALSAM: Objection. Relevance.

20 JUDGE RINGLER: I'll allow it. Go ahead. You can answer.

21 THE WITNESS: Only if I picked up the shift. So like if I  
22 picked up a closing that I wasn't scheduled for, I would, but  
23 not -- I think I did it maybe once or twice.

24 BY MR. DOLCE:

25 Q. Okay. So you just used the word clopen. What is a

1 clopen?

2 A. It's where you close the store and then you open it  
3 immediately the next morning.

4 Q. Okay. And so did you work a clopen the night before that  
5 you were late that day?

6 MR. BALSAM: Objection. Judge, you've already sustained  
7 my objection about the relevancy of why she was late. Counsel  
8 for the Union is asking the same question.

9 JUDGE RINGLER: I'll allow it. Go ahead.

10 THE WITNESS: I don't believe it was a clopen for the 4th,  
11 but on the 26th I believe it was.

12 BY MR. DOLCE:

13 Q. Okay. And so were you scheduled for more clopens after  
14 the Union campaign began than you were before?

15 A. Yes.

16 MR. BALSAM: Objection. Leading.

17 JUDGE RINGLER: I'll sustain also. And also, there's no 8  
18 (a) (3) allegation that they changed her scheduling. So I  
19 don't think it's relevant also.

20 MR. DOLCE: Okay. Nothing further.

21 JUDGE RINGLER: Okay. All right. So I'm sure we've got  
22 an affidavit for this witness. So how long is our Jencks  
23 statement for Respondent Counsel?

24 MS. SNELLING: Give us one minute, Your Honor, to make  
25 sure that we have all of them.

1 JUDGE RINGLER: Then once we figure out how long it is,  
2 we'll figure out how long the break will take. And we were  
3 worried about 4:00 and here we are. First day's always slower.

4 MS. SNELLING: Okay. Your Honor, we have about 10 pages  
5 of Jencks statements.

6 JUDGE RINGLER: Okay.

7 MS. SNELLING: And it comes down to three affidavits.

8 JUDGE RINGLER: All right. And I think technically that  
9 the recording that she emailed to you is also a Jencks  
10 statement. Do you have any objection to playing your phone  
11 recording for Respondent Counsel?

12 THE WITNESS: No.

13 JUDGE RINGLER: Okay. So why don't we do that? You can  
14 listen to it to satisfy yourself that it's the same, and then  
15 we'll give you a break to look into your affidavits.

16 MS. SNELLING: Okay.

17 JUDGE RINGLER: Does that work?

18 MR. BALSAM: That sounds fair.

19 JUDGE RINGLER: Okay.

20 MR. BALSAM: Thank you.

21 JUDGE RINGLER: That is not a problem at all. So we'll go  
22 off the record to --

23 MS. SNELLING: Well, Your Honor, one last thing is that we  
24 do have affidavits from prior investigations as well, but it's  
25 not to what Vic testified to today. So they're not necessarily

1 relevant to the testimony. If Respondent objects us not  
2 handing those over for those reasons, we would request an in-  
3 camera inspection.

4 JUDGE RINGLER: Okay. Let me look at the prior  
5 affidavits. You're saying from unrelated investigations,  
6 they're not connected to --

7 MS. SNELLING: Yeah, prior investigations from Buffalo 1,  
8 the first trial.

9 JUDGE RINGLER: Okay.

10 MS. SNELLING: But they are not pertinent to her testimony  
11 today.

12 JUDGE RINGLER: Okay. I understand.

13 MS. SNELLING: And in this trial.

14 JUDGE RINGLER: Okay. Okay.

15 MS. SNELLING: Would you like to look at them?

16 MR. DOLCE: The Respondent was provided those at the first  
17 trial.

18 MS. SNELLING: Yeah. And Respondent was provided those at  
19 the first trial.

20 MR. BALSAM: We didn't get to keep a copy.

21 JUDGE RINGLER: Yeah. You didn't give a copy, so I  
22 understand. I'll look at them. I'll certainly look at them to  
23 see if they have any bearing at all.

24 MS. SNELLING: Okay.

25 MR. BALSAM: Judge, I feel like this witness did testify

1 to issues that occurred in Buffalo 1. So to the extent there's  
2 Jencks statements relating to issues that occurred in Buffalo  
3 1, again, that happened many, many months ago. I don't  
4 remember every single Jencks statement that I looked at.

5 JUDGE RINGLER: Understood.

6 MR. BALSAM: I'll be entitled to see that again, because I  
7 do believe this witness testified to issues that popped up in  
8 Buffalo 1.

9 JUDGE RINGLER: Well, so while I'm looking at these --

10 MR. BALSAM: Sure.

11 JUDGE RINGLER: -- we'll have you look at yours that you  
12 know you're going to get.

13 MR. BALSAM: Yep.

14 JUDGE RINGLER: And also can you -- before you leave,  
15 we're going to have the witness play the video recording for  
16 you. So if you want to join us up here.

17 MR. BALSAM: Right now?

18 JUDGE RINGLER: Yeah.

19 MR. BALSAM: Okay.

20 THE WITNESS: Can I get my phone?

21 JUDGE RINGLER: Yeah. Of course, you can. Yeah. So  
22 we'll go off the record.

23 (Off the record from 4:00 p.m. to 4:33 p.m.)

24 JUDGE RINGLER: Okay. We are back on the record. So we  
25 can start cross.



1 MR. BALSAM: Thanks, Judge.

2 JUDGE RINGLER: Yes.

3 CROSS EXAMINATION

4 BY MR. BALSAM:

5 Q. Ms. Conklin, you said you started working for Starbucks in  
6 June of 2017, correct?

7 A. Yes.

8 Q. And when you started working for Starbucks, were you  
9 issued a partner guide?

10 A. Yes.

11 MR. BALSAM: May I approach?

12 JUDGE RINGLER: Yes, of course.

13 MR. BALSAM: So I didn't mark it. Sorry. Amateur hour.

14 JUDGE RINGLER: You know what? We'll write on it. You're  
15 fine. Next one, you'll get the next one. That's fine. So  
16 everyone just jot R-1 down. Is it R-1?

17 MR. BALSAM: We'll do RX-01.

18 MS. DUPLCHAIN: Two.

19 MR. BALSAM: Two, because we're going to use our documents  
20 as part of the formal papers that I --

21 JUDGE RINGLER: Okay. Okay. So R-2.

22 MR. BALSAM: You don't mind just writing on here as R-2.

23 MS. SNELLING: No.

24 (Respondent's Exhibit 2 is marked.)

25 JUDGE RINGLER: Thank you. All right.

1 BY MR. BALSAM:

2 Q. Ms. Conklin, you recognize what's been marked as RX-2?

3 A. Yes.

4 Q. What is RX-2?

5 A. It's the partner guide acknowledgement.

6 (Respondent's R-2 identified)

7 Q. Okay. And this is the document you signed when you  
8 commenced employment with Starbucks?

9 A. I signed this one in 2021.

10 Q. Okay. In this document you signed in 2021, this is your  
11 acknowledgement of receipt of the partner guide?

12 A. Yes.

13 Q. All right. And what is the partner guide?

14 A. It's like the employee handbook for Starbucks.

15 Q. And does the employee handbook contain policies and  
16 procedures relating to things like time attendance?

17 A. Yes.

18 Q. And closing stores?

19 A. I'm not quite confident on the closing stores, but I'm  
20 sure it's in there.

21 Q. Okay.

22 A. I just don't remember it.

23 MR. BALSAM: We'd like to move into evidence RX-2.

24 JUDGE RINGLER: Any objection to R-2?

25 MS. SNELLING: Yes, Your Honor. This is not the entire

1 partner guide, to the best of our knowledge. So we're going to  
2 object to -- since it's not the entire partner guide, and she's  
3 -- this is a signed acknowledgement by her of the partner  
4 guide, and this is not the entire partner guide that we would  
5 object.

6 JUDGE RINGLER: Understood, understood. I'm going to  
7 admit it.

8 MR. BALSAM: Thank you.

9 JUDGE RINGLER: Yes. So R-2 is in. So duly noted that we  
10 don't have the underlying policies, but I'm suspecting that if  
11 Respondent feels that they want to put them in, they will.

12 MR. BALSAM: Thanks, Judge.

13 JUDGE RINGLER: So I'll admit that. Yes.  
14 (Respondent's Exhibit 2 is received.)

15 BY MR. BALSAM:

16 Q. Ms. Conklin, where is the partner guide? Is the partner  
17 guide available for partners to review?

18 A. I'm sure it's somewhere on the partner hub, but I haven't  
19 looked for it before.

20 Q. What is the partner hub?

21 A. It's a website that Starbucks partners can access to get  
22 information from the company, like weekly updates, things like  
23 that.

24 Q. Okay. As a partner, are you able to access the partner  
25 hub at your home?

1 A. I think parts of it, but the full site is only accessible  
2 through the store computer.

3 MR. BALSAM: May I approach? This is going to be RX-3.

4 JUDGE RINGLER: All righty.

5 BY MR. BALSAM:

6 Q. Ms. Conklin, do you recognize what has been marked as RX-  
7 3?

8 A. Yes.

9 Q. What is RX-3?

10 A. It's the confidentiality agreement for the key safe and  
11 alarm for stores.

12 (Respondent's RX-3 identified)

13 Q. And what is the key safe and alarm system confidentiality  
14 agreement for?

15 A. That you -- when you receive your key as a key holder,  
16 you'll only use your key to like open the store, close the  
17 store, things with the -- things with the store on company time  
18 and then you won't give out the safe combination code or your  
19 alarm code to anybody.

20 Q. And Ms. Conklin, during your employment with Starbucks,  
21 you were in fact a key holder, correct?

22 A. Yes.

23 Q. And what does that mean you're a key holder?

24 A. I was -- I had the key that would open and close the store  
25 and then I had keys that would open and close the registers.

1 And I was kind of in charge of the floor.

2 Q. And Ms. Conklin, were you made a key holder because you  
3 were also a shift supervisor?

4 A. They're the same thing, kind of interchangeable.

5 Q. So when we talk about shift supervisors, those individuals  
6 necessarily are the ones who maintain the keys to open and  
7 close the cafes?

8 A. Every -- so every shift has a key to the store and then  
9 the shift that's in charge of the day will be the one holding  
10 the register keys, but sure.

11 Q. And do shift supervisors have any type of management  
12 responsibilities?

13 A. I -- we would control the floor where people were assigned  
14 place orders, do inventory counts, that kind of thing.

15 Q. And in the absence of a store manager, would the shift  
16 supervisors be charged with ensuring the safety and security of  
17 the store?

18 A. Yes.

19 Q. And so you in your role as a shift supervisor were  
20 responsible for securing the safety and security of the store?

21 A. Yes.

22 Q. In the absence of management?

23 A. Yes.

24 MR. BALSAM: I'd like to move in into evidence RX-3.

25 JUDGE RINGLER: Any objection to R-3?

1 MS. SNELLING: Could I ask a few questions, Your Honor?

2 JUDGE RINGLER: Go ahead.

3 VOIR DIRE

4 BY MS. SNELLING:

5 Q. Vic, when you signed this key safe and alarm system  
6 confidentiality agreement, was this the only thing that you saw  
7 when you signed this?

8 A. I don't remember honestly. Sorry.

9 Q. Okay.

10 MS. SNELLING: We just have concerns that it's not the  
11 full agreement similar to the partner guide objection that we  
12 had.

13 JUDGE RINGLER: All right. So I'll note that for the  
14 record.

15 MS. SNELLING: Okay.

16 JUDGE RINGLER: But I will admit R-3.

17 MS. SNELLING: Okay.

18 (Respondent's Exhibit 3 is received.)

19 CROSS EXAMINATION (Continued.)

20 BY MR. BALSAM:

21 Q. You testified that you started at Walden Galleria, that's  
22 where you started?

23 A. Yes.

24 Q. And that you transferred to East Robinson in 2021?

25 A. Yes.

1 Q. And I believe you said it was an easy process to be  
2 transferred from Walden to East Robinson; is that correct?

3 A. Yes.

4 Q. Were you required to fill out any paperwork in order to  
5 transfer?

6 A. No. I don't think so.

7 Q. And who was the store manager at Walden Galleria at the  
8 time of your transfer to East Robinson?

9 A. Kayla Gupta Moore.

10 Q. And is that individual still employed by Starbucks, to  
11 your knowledge?

12 A. No.

13 Q. And who was the district manager at the time that you  
14 transferred from Walden Galleria to East Robinson in 2021?

15 A. I don't know.

16 Q. Do you know who the store manager was in 2021?

17 A. Of?

18 Q. At East Robinson?

19 A. Kayla.

20 Q. Okay. And you testified earlier, I believe, that Kayla  
21 contacted you and asked you if you wanted to transfer?

22 A. Yes.

23 Q. How did you know -- did you know Kayla prior to that  
24 conversation?

25 A. Yes, she was my manager at Walden Galleria.

1 Q. Okay. So at some point prior to that, Kayla had  
2 supervised you?

3 A. Yes.

4 Q. And she transferred to East Robinson?

5 A. Yes.

6 Q. Okay. Do you know if Kayla had connected with her DM  
7 regarding your transfer prior to your transfer?

8 A. I have no idea.

9 Q. Now, you testified that you tried to transfer from East  
10 Robinson to Williamsville in February of '22, correct?

11 A. Yes.

12 Q. Okay. And that you had a conversation with your store  
13 manager -- I'm sorry, with the district manager Greta Case at  
14 the time?

15 A. Yes.

16 Q. Okay. And that you testified that Greta Case told you  
17 that due to business operation, the lack of -- I'm sorry, that  
18 Greta told you as a result of operation issues that you were  
19 not able to transfer to that location you wanted to, correct?

20 A. Yes.

21 Q. Did Greta say that you were not being transferred because  
22 of your support for the Union?

23 A. No.

24 Q. And you did testify that Greta told you that you could  
25 fill out paperwork to transfer, correct?



1 A. Yes.

2 Q. But you didn't do that, right?

3 A. No.

4 Q. Did you ask Greta why she had asked you to fill out a  
5 transfer request form in order to transfer?

6 A. No.

7 Q. Did you ask her -- did you tell her that prior to your  
8 request to transfer from East Robinson to Williamsville Place  
9 that you had previously transferred without the need to fill  
10 out any paperwork?

11 A. No.

12 Q. So that conversation never occurred at all?

13 A. I don't believe so. No.

14 Q. Are you aware of a Starbucks policy that requires  
15 individuals seeking to transfer to complete transfer paperwork?

16 A. I was only made aware of it when Greta said something  
17 about it before that I didn't know how transferring actually  
18 worked.

19 Q. Okay. So in February of '22, you were made aware of the  
20 fact that if you wanted to transfer, you had to fill out  
21 paperwork?

22 A. Yes.

23 Q. And notwithstanding the fact that you were told that you  
24 had to fill out paperwork, you still decided not to do that?

25 A. Yes.

1 Q. Okay. So in fact, you've never actually submitted a  
2 request to transfer.

3 MS. SNELLING: Objection. Asked and answered.

4 JUDGE RINGLER: Overruled. You can answer.

5 THE WITNESS: Can you repeat the question? I'm sorry.

6 BY MR. BALSAM:

7 Q. Sure. By virtue of not completing paperwork, you actually  
8 never submitted a request to transfer to a different location,  
9 correct?

10 A. I guess not.

11 Q. And likewise, the discussion that you had with Tracy, are  
12 you referring to Tracy Des Jardins (ph)?

13 A. Yes.

14 Q. Okay. Tracy Des Jardins was a district manager?

15 A. Yes.

16 Q. That came after Greta Case?

17 A. Yes.

18 Q. And similar to my question about Greta Case, Tracy did  
19 tell you to fill out a transfer request form, correct?

20 A. They told me I could.

21 Q. All right. You testified that you didn't do that,  
22 correct?

23 A. No.

24 Q. Even though you knew at that time that you had to fill out  
25 that paperwork in order to make a transfer request?

1 A. Yes.

2 Q. Okay. So in March of '22, you did not in fact ever make a  
3 request to transfer to a different store because you did not  
4 fill out the necessary paperwork, correct?

5 A. I did not fill out the form. Correct.

6 Q. And so you didn't make a request to transfer because you  
7 didn't do that, correct?

8 A. I guess not.

9 Q. And did Greta Case or Tracy Des Jardins say anything  
10 negative to you about your affiliation or support for the  
11 Union?

12 A. Not that I can recall.

13 Q. You testified that there was some limitation for  
14 individuals seeking to transfer who had disciplinary  
15 infractions. What do you mean by that?

16 A. I had just heard from other partners that like they  
17 wouldn't be able to transfer because they were on a final or  
18 something like that.

19 Q. Do you know if there's a Starbucks policy that speaks to  
20 that?

21 A. I'm not aware of one.

22 MR. BALSAM: May I approach?

23 JUDGE RINGLER: Yes.

24 BY MR. BALSAM:

25 Q. This will be RX-4. Ms. Conklin, are you familiar or do

1 you recognize RX-4?

2 A. Yes.

3 Q. Okay. And RX-4 is the time and attendance and requesting  
4 time off memo that was issued to you in February of 2019,  
5 correct?

6 A. Yes.

7 Q. Okay. And is that your signature on the bottom left  
8 corner?

9 A. It is.

10 MR. BALSAM: Okay. I'd like to move into evidence RX-4.

11 JUDGE RINGLER: Any objection to R-4?

12 MS. SNELLING: Yes, I actually have a question, Your  
13 Honor.

14 JUDGE RINGLER: Okay.

15 VOIR DIRE

16 BY MS. SNELLING:

17 Q. Vic, up at the top right corner, it looks like there is  
18 something there. Do you know what that says?

19 A. It kind of looks like it says Vicky.

20 Q. Okay. And did you go by that at work?

21 A. My manager used to call me that, yes.

22 Q. Okay.

23 MS. SNELLING: No objection then, Your Honor.

24 JUDGE RINGLER: All right. So we're going to admit R-4.

25 (Respondent's Exhibit 4 is identified and received.)

## 1 CROSS EXAMINATION (Continued.)

2 BY MR. BALSAM:

3 Q. Ms. Conklin, in 2019 when you received this document, the  
4 document made clear to you that Starbucks expected regular and  
5 timely attendance, correct?

6 A. Yes.

7 Q. And in 2019 was well before the first petition was filed  
8 in the Buffalo market, correct?

9 A. Yes.

10 Q. And prior to the filing of the petition in the Buffalo  
11 market, the first petition in the Buffalo market in August of  
12 2021, were you aware of individuals who were being held  
13 accountable for failing to come to work on time?

14 A. Yes. Yeah.

15 Q. And Ms. Conklin, you said you were disciplined in 2017,  
16 2019, and 2022?

17 A. Yes.

18 Q. What were you discipline for in 2017?

19 A. A partner at another store said that they had heard a  
20 rumor from me that my store manager was sleeping with one of  
21 the baristas at my store.22 Q. And what was the result of that issue? Did you get a  
23 coaching or final written warning?

24 A. Just a regular written warning.

25 Q. And what about in 2019?

1 A. I was a newly promoted shift supervisor and I forgot to do  
2 the temps one night.

3 Q. And what is the temps?

4 A. It's you go around to all of the fridges and make sure  
5 that the fridges are within the food safe temperature range and  
6 freezers too.

7 Q. What'd you get for that?

8 A. A documented coaching.

9 MR. BALSAM: May I approach?

10 JUDGE RINGLER: Yes.

11 BY MR. BALSAM:

12 Q. Ms. Conklin, I'm showing you what's been marked as RX-5.

13 Do you recognize RX-5?

14 A. Yes.

15 Q. What is RX-5?

16 A. It looks like from what I can make out, it's the page from  
17 the partner resource guide about attendance and punctuality.

18 (Respondent's RX-5 identified)

19 Q. Okay. And is that your signature on the bottom left  
20 corner?

21 A. It is.

22 Q. Okay. And similar to RX number 4, this document reaffirms  
23 Starbucks' expectations that its partners come to work on time?

24 A. Yes.

25 Q. And by virtue of your signature, you understood that to be

1 the case, correct?

2 A. Yes.

3 MR. BALSAM: I'd like to move this into evidence, RX-5.

4 JUDGE RINGLER: So I think ultimately I'll admit R-5, but  
5 candidly, besides her signature, most of it is not legible.  
6 Can you provide an RX-5 later or tomorrow that has a clean copy  
7 attached to the back that's unsigned?

8 MR. BALSAM: So Judge, this is direct copy of the document  
9 that's maintained in Ms. Conklin's personnel file.

10 JUDGE RINGLER: Right. No, I understand that. But there  
11 must be -- I mean, I'm sure employees are signing a clean copy  
12 of this at some point. Do you have that?

13 MR. BALSAM: Yeah. So to the extent that we can find  
14 another copy, we will do that. We will be introducing later  
15 the partner guide that contains this doc --

16 JUDGE RINGLER: Okay. So you're introducing the partner  
17 guide that'll have this.

18 MR. BALSAM: Correct.

19 JUDGE RINGLER: Is it a revised version or is it's going  
20 to have this?

21 MR. BALSAM: Yeah, it's the same. It's going to be the  
22 same version but it won't have Ms. Conklin's signature.

23 JUDGE RINGLER: Right.

24 MR. BALSAM: This is just basically --

25 JUDGE RINGLER: Of course, of course. I realize this is

1 the one she signed. I was just concerned that a lot of this is  
2 awfully tough to read. But if you're representing, you're  
3 going to provide the partner guide that's going to have this on  
4 that basis, I'll admit R-5.

5 MR. BALSAM: Okay.

6 JUDGE RINGLER: Okay.

7 (Respondent's Exhibit 5 is received.)

8 JUDGE RINGLER: So just please make a note of that and  
9 make sure that we've got that -- that we get that in there.

10 MR. BALSAM: Judge, I mean, we have an electronic version  
11 of this that -- forget it. I was going to say it looks better  
12 but it's not.

13 JUDGE RINGLER: Okay. Okay.

14 MS. SNELLING: And Your Honor, did you want to hear my  
15 objections on this or?

16 JUDGE RINGLER: I already admitted it. So if you want to  
17 state your objection for the record, you can. But it has been  
18 admitted.

19 MS. SNELLING: Okay. Yeah, just your similar statement  
20 that it is difficult to read. And then also just that it's  
21 from the partner resources manual. I think I read that at the  
22 top. And I don't think that this is the full resource manual.  
23 So that is just our objection to note for the record.

24 JUDGE RINGLER: Okay.

25 MS. SNELLING: Thank you.



1 JUDGE RINGLER: Thank you. Yes.

2 BY MR. BALSAM:

3 Q. And Ms. Conklin, by virtue of signing this document, you  
4 understood that for situations where you violated or any  
5 partner violated the time attendance and punctuality policy,  
6 that they could be subject to discipline up to and including  
7 termination, correct?

8 A. Yes.

9 Q. Okay. You testified earlier that when stores are shut  
10 down that there are certain doors that needed to be locked and  
11 you didn't include the drive-through as part of your  
12 description. Would the drive-through window also need to be  
13 locked when the stores are shut down at the end of the day?

14 A. Yes.

15 Q. Or when you decide to leave and go out for a strike?

16 A. Yes.

17 Q. And what is the reason for or the requirement that all the  
18 doors be shut and locked?

19 A. I think so nobody breaks in.

20 Q. With respect to the discipline that you were issued, the  
21 final written warning, the -- with respect to the final written  
22 warning that you were issued for your actions and/or inactions  
23 on May 7, '22, had you ever in your past failed to properly  
24 secure cash when closing stores?

25 A. I'm sure I'd forgotten once or twice.

1 Q. Did anyone at management, were they aware of the fact that  
2 you forgot to do that?

3 A. I can assume so if it was written in the Daily Records  
4 book.

5 Q. Which manager was aware of that?

6 A. I wouldn't -- I wouldn't be able to tell you that.

7 Q. When did you previous to May 7, '22 leave cash unsecured  
8 and closed till drawers?

9 A. I wouldn't be able to tell you a specific time.

10 Q. What about leaving drive-through windows unlocking and  
11 unsecured overnight?

12 A. I'm sure I forgot to do that when we first opened East  
13 Robinson.

14 Q. When?

15 A. Sometime in the spring of 2021.

16 Q. And was the manager aware of you not walking and securing  
17 the drive-through the window overnight?

18 A. I'm sure if it was written in the book, they were.

19 Q. In this book that you're referring to, where is this book  
20 located?

21 A. I don't know of it's exact whereabouts right now, but  
22 typically it's kept in the store.

23 Q. And who was the manager? I'm sorry. Who was the manager  
24 that may have observed you leaving the drive-through window  
25 unlocked, unsecured overnight?

1 A. Kayla Gupta Moore.

2 Q. And is Kayla still employed by Starbucks?

3 A. No.

4 Q. Now, you mentioned that when you first became a shift  
5 supervisor in East Robinson that you had left the drive-through  
6 window unlocked and unsecured overnight, right?

7 A. I'm sure I did, yes.

8 Q. And you said that it was a learning curve that you had,  
9 correct?

10 A. Yes.

11 Q. But in May 7, '22, you had been to the East Robinson for  
12 nearly a year, correct?

13 A. Yes.

14 Q. And would you consider yourself an experienced shift  
15 supervisor?

16 A. Yes.

17 Q. That an experienced shift supervisor who shouldn't leave  
18 cash unsecured in the till drawer?

19 A. Yes.

20 Q. And one who should not leave drive-through windows  
21 unlocked overnight?

22 A. Yes.

23 Q. And you mentioned that you told another barista to lock  
24 the door -- lock the drive-through before you left, correct?

25 A. Yes.

1 Q. Who was the person you told to lock the drive-through?

2 A. Her name was Avery.

3 Q. What's Avery's last name?

4 A. I think it's Cardinal (ph).

5 Q. Cardinal. Did you ever -- but you didn't follow up to  
6 ensure that the drive-through was locked even after giving that  
7 instruction to Avery, correct?

8 A. No.

9 Q. So ultimately, it falls on you as being your fault for not  
10 securing Starbucks company property and cash, correct?

11 A. Yes.

12 Q. I believe you said that there were other individuals who  
13 may have done that also. Who are these individuals that may  
14 have done the same infraction that you did?

15 A. His name was Jeff Thompson.

16 Q. And who was Jeff Thompson?

17 A. He transferred over with me from the Walden Galleria kiosk  
18 to East Robinson. He was the shift supervisor.

19 Q. And when did Jeff Thompson fail to secure cash in the  
20 closed till drawer?

21 A. I couldn't give you an exact date.

22 Q. How do you know that that occurred then?

23 A. I remember it being a pattern of behavior with him.

24 Q. But how do you know that and can't remember the dates if  
25 it was a pattern?

1 A. I wasn't taking note of when Jeff left the cash unsecured  
2 in the tills. I just remember coming in, in the morning  
3 frequently and hearing that the cash was left in the drawer  
4 overnight.

5 Q. Who'd you hear that from?

6 A. Other shift supervisors.

7 Q. Who are the shift supervisors that you heard that from?

8 A. Typically Kayla Disorbo or Beth Royer.

9 Q. But as we sit here today, you have never actually seen the  
10 cash that Jeff purportedly left in the drawer, correct?

11 A. No.

12 Q. Overnight. So everything you're testifying to is hearsay  
13 based on what others told you?

14 A. Sure. Yes.

15 Q. And what about leaving the drive-through windows unlocked  
16 and unsecured overnight? Did anyone else, to your knowledge,  
17 do that?

18 A. I can't remember an exact instance of that right now.

19 Q. That's not my question. My question is, did anyone else,  
20 to your knowledge, do that?

21 A. I don't know.

22 Q. Yes or no?

23 MS. SNELLING: Your Honor, objection. Asked and answered.

24 JUDGE RINGLER: Yeah. I think she says she doesn't know,  
25 which is really akin to you saying you're not aware of somebody

1 else. Is that correct?

2 THE WITNESS: Yes.

3 JUDGE RINGLER: Okay. She indicated she's not aware of  
4 anybody else.

5 MR. BALSAM: Judge, right. But on direct she indicated  
6 that she was aware of other individuals. So I'm trying to  
7 confirm that.

8 JUDGE RINGLER: Okay. So now you've got what you'll  
9 allege to be an inconsistency in testimony. So if it says  
10 that, I'll certainly take a look at that.

11 MR. BALSAM: And Judge, with your clarifying request for  
12 the witness to answer, we did get the information. But based  
13 on my questioning, the witness was not answering my question.

14 JUDGE RINGLER: Understood. And that's why I asked the  
15 initial question to kind of streamline it a little bit.

16 MR. BALSAM: Yep. Thank you.

17 JUDGE RINGLER: You're welcome.

18 BY MR. BALSAM:

19 Q. Now, with respect to the final written warning that was  
20 issued to you, you don't disagree with the allegations in  
21 there?

22 A. No.

23 Q. Correct? In fact, you did exactly what Starbucks accused  
24 you of doing.

25 A. Yes.

1 Q. And based on documentation that we've already reviewed,  
2 this type of misconduct justifies issuance of a final written  
3 warning, correct?

4 A. Sure.

5 MR. BALSAM: May I approach?

6 JUDGE RINGLER: Yes.

7 BY MR. BALSAM:

8 Q. Ms. Conklin, I'm showing you what's been marked as RX-6.  
9 Do you recognize RX-6?

10 A. Yes.

11 Q. Okay. And RX-6 is a copy of your final written warning  
12 that has been signed by both Josie Havens, Sebastian Garcia and  
13 yourself, correct?

14 A. Yes.

15 (Respondent's RX-6 identified)

16 MR. BALSAM: Judge, I'd like to move into evidence a  
17 complete copy of the final written warning that Ms. Conklin  
18 received on May 25th, '22.

19 JUDGE RINGLER: Any objection to R-6?

20 MS. SNELLING: No objection.

21 JUDGE RINGLER: All right. So we'll admit R-6, signed  
22 copy.

23 (Respondent's Exhibit 6 is received.)

24 BY MR. BALSAM:

25 Q. So Ms. Conklin, based on what we heard and what you

1 testified to before, you seem to have viewed Ms. Havens as a  
2 friend; is that correct?

3 A. I don't know that I would use the term friend, but we were  
4 friendly.

5 Q. Okay. And that with respect to at least your notice of  
6 separation, you told her that you were disappointed in her and  
7 that you thought she was better than this?

8 A. I did.

9 Q. Why do you then believe that Josie Havens issued you a  
10 final written warning because of your Union support?

11 A. Because I don't believe that other people would've been  
12 written up for the same thing.

13 Q. Right. But you testified that you weren't certain that  
14 other people were not written up for the same thing. In fact,  
15 you couldn't identify a single other person that wasn't written  
16 up for both infractions that are named in this particular final  
17 written warning, correct?

18 A. Yes.

19 Q. All right. So you have no idea if other people have been  
20 written up for the same infractions.

21 A. That's fair to say. Yeah.

22 Q. And that Ms. Havens gave you no indication at all  
23 throughout your interactions with her that she had harbored any  
24 anti-Union animus and issued this because of your affiliation  
25 with the Union, correct?



1 A. Yes.

2 Q. Correct you have no knowledge or belief that she issued  
3 this to you because of your support for the Union, correct?

4 A. I don't think that I can speak to Josie's view of my Union  
5 support.

6 Q. But it never gave you an impression that she harbored any  
7 animus toward you because of your affiliation with the Union or  
8 support for the Union?

9 A. Not directly, no.

10 Q. How do you know that she had indirectly harbored Union  
11 animus for you?

12 A. Josie was one of the people flown in by Starbucks after  
13 the Union campaign started. So my understanding is that she  
14 was there to surveil the Union activity at East Robinson.

15 Q. So is it possible Ms. Havens came in to do a job for  
16 Starbucks and manage a store?

17 A. It's possible.

18 Q. Okay. Ms. Conklin, why didn't you submit a partner  
19 statement in response to the final written warning?

20 A. I don't know.

21 Q. Okay. And on the final written warning below the section  
22 where there's the box that says documented coaching, written  
23 warning, final written warning, there's a statement. And it  
24 says, "This form will be maintained permanently in your partner  
25 file. There's no guarantee that you'll receive a minimum

1 number of warnings prior to separation of employment or that  
2 corrective action will occur in any set manner or order". You  
3 see that?

4 A. Yes.

5 Q. All right. And you understood by that statement that it  
6 was possible for you to receive additional discipline for other  
7 infractions, correct?

8 A. Yes.

9 JUDGE RINGLER: Now, Ms. Conklin, if you recall, and I'm  
10 focused on the date where -- we're focused on the cash register  
11 monies being locked or not, and then drive-through window.  
12 Were you the only shift supervisor on shift at that time? Were  
13 there other shift supervisors?

14 THE WITNESS: Somebody else had opened the store, but I  
15 think that she had clocked out before we walked out on strike.

16 JUDGE RINGLER: Okay. So when you went on strike, it's  
17 your understanding you were the sole shift supervisor?

18 THE WITNESS: That's what I can remember. It was just me.

19 JUDGE RINGLER: Okay. And there was not an assistant  
20 store manager or store manager in the store that day?

21 THE WITNESS: No.

22 JUDGE RINGLER: Okay.

23 BY MR. BALSAM:

24 Q. Ms. Conklin, did you ever appeal the final written warning  
25 that was issued to you?

1 A. No.

2 Q. Is there a process at Starbucks whereby you can challenge  
3 the issuance of corrective action form?

4 A. Yes.

5 Q. Yes?

6 A. Yes.

7 Q. Okay. But you decided not to utilize that process?

8 A. I wasn't fully aware of it at the time I was written up.

9 Q. When did you become aware of it?

10 A. In the FAQ packet I was given after I was terminated, it  
11 has the phone number you can call.

12 Q. So when you're issued a corrective action form, that's not  
13 a termination, there's no mention to the partner that receives  
14 it, that there's an ability to challenge the issuance of the  
15 final written warning?

16 A. I don't remember being told that.

17 Q. And just to clarify what the Judge asked you, you were the  
18 only key holder at the store on the date that you failed to  
19 close the drive-through and also properly secure the cash,  
20 correct?

21 A. Somebody else opened the store but then clocked out before  
22 we walked out on strike. Yes.

23 Q. So at the time that you were supposed to have engaged in  
24 the conduct by which you were ultimately disciplined, you were  
25 the only key holder on site at the store, correct?

1 A. Yep. Yes.

2 JUDGE RINGLER: Now, was there another shift supervisor  
3 that was scheduled to join you later in the shift?

4 THE WITNESS: Yes. Somebody else was scheduled to close.

5 JUDGE RINGLER: And who was scheduled to close?

6 THE WITNESS: Her name is Denasia Starks?

7 JUDGE RINGLER: Denasia Starks?

8 THE WITNESS: Yes. It's D-e-n-a-s-i-a and then Starks.

9 JUDGE RINGLER: Now, did Denasia join you on the picket  
10 line at some point?

11 THE WITNESS: No, but I had called her and asked if she  
12 wanted to sign the strike letter and she said yes.

13 JUDGE RINGLER: All right, thank you.

14 THE WITNESS: Uh-huh (affirmative).

15 JUDGE RINGLER: And she did not appear at this store?

16 THE WITNESS: Not that I remember, no.

17 JUDGE RINGLER: Okay.

18 BY MR. BALSAM:

19 Q. You testified that you saw on Josie Haven's phone, the  
20 lock screen of her phone, a photo that you took of the strike.

21 A. Yes.

22 Q. On what day did you see that?

23 A. I don't know the exact day.

24 Q. Where were you located when you saw that picture on her  
25 phone?

1 A. She was sitting at the end of the bar in the store, and I  
2 was standing next to her talking to her.

3 Q. You said that Josie told you that the strike signs hurt  
4 her feelings?

5 A. Yes.

6 Q. What about the strike signs hurt her feelings?

7 A. Specifically the one that says, "Bring back the care for  
8 partners".

9 Q. And beyond that response, did you have any further  
10 dialogue about that with Ms. Havens?

11 A. Not that I recall.

12 Q. Okay. So Ms. Conklin, on June 4th, 2022, you were in fact  
13 29 minutes late to your shift, correct?

14 A. I was.

15 Q. And on that particular day, you were scheduled to open,  
16 correct?

17 A. Yes.

18 Q. And what happened as a result of you failing to report on  
19 time to work?

20 A. I -- there were baristas waiting in the parking lot and I  
21 believe we opened the store on time, but we were incredibly  
22 rushed in getting things ready for the day.

23 Q. And since you've testified that you have opened stores in  
24 the past, right, and on that particular day you were supposed  
25 to, what happens once the store is open for the day? What's

1 the process to get the store ready?

2 A. For a shift supervisor or barista? Because they're  
3 different.

4 Q. Both.

5 A. The shift supervisor would count the tills that are in the  
6 safe, put them in the registers, count the safe, and then  
7 baristas you start the oven, start the espresso machines, get  
8 the sanitizer out, do iced tea, iced coffee, hot coffee, and  
9 then prepare any backups that they couldn't get to the night  
10 before.

11 Q. And what time were you were supposed to be at the store on  
12 that particular day?

13 A. I don't remember the exact time I was supposed to be  
14 there.

15 Q. Okay. And how long does the process take to get the store  
16 ready for the day once you actually physically open the store?

17 A. You're scheduled 30 minutes. It usually doesn't take that  
18 long if you have experience, barista is doing it.

19 Q. Okay. And that particular day, did you get the store  
20 ready within 30 minutes?

21 A. 30 minutes? Like the 30 minutes after I had gotten there?

22 Q. Correct.

23 A. Yes.

24 Q. Now, for the partners who arrived waiting for you to open  
25 the door to the cafe, were they compensated for that 30 minutes

1 in which they weren't working?

2 A. I'm not sure.

3 Q. Were you paid for the 30 minutes that you weren't working?

4 A. No.

5 Q. So by logic it suggests that the other individuals were  
6 not paid either?

7 MS. SNELLING: Objection. He's asking for her to  
8 speculate.

9 JUDGE RINGLER: Sustained. She doesn't know.

10 BY MR. BALSAM:

11 Q. Do you have any role in approving the hours of baristas  
12 who were working under you during a shift?

13 A. Like --

14 JUDGE RINGLER: Approving hours? I'm not sure I  
15 understand. You mean scheduling baristas?

16 MR. BALSAM: I'll rephrase.

17 JUDGE RINGLER: Okay.

18 BY MR. BALSAM:

19 Q. Do you have any involvement in approving the punch clocks,  
20 punches for the baristas who come to the store for compensation  
21 purposes?

22 A. No.

23 MR. BALSAM: May I approach?

24 JUDGE RINGLER: Uh-huh (affirmative).

25 BY MR. BALSAM:

1 Q. Ms. Conklin, you've been handed what's marked as RX-7. Do  
2 you recognize RX-7?

3 A. Yes.

4 Q. What is RX-7?

5 A. My notice of separation.

6 Q. And at the bottom left corner where it says partner  
7 signature, whose signature is that?

8 A. Mine.

9 Q. Okay.

10 MR. BALSAM: Judge, I'd like to move into evidence RX-7,  
11 which is a complete copy of Ms. Conklin's notice of separation,  
12 including her signature.

13 JUDGE RINGLER: Any objection to R-7?

14 MS. SNELLING: No objection.

15 JUDGE RINGLER: Okay. R-7 is admitted.

16 (Respondent's Exhibit 7 is identified and received.)

17 BY MR. BALSAM:

18 Q. Now, Ms. Conklin, in your direct examination, you noted  
19 that you did not work on June 24th, 2022, correct?

20 A. Yes.

21 Q. Okay. But you did work on June 4th, '22, correct?

22 A. I did.

23 Q. Okay. And on June 4th, '22, you were 29 minutes late,  
24 correct?

25 A. Yes.



1 Q. Okay. And you were issued the notice of separation on  
2 June 22nd, '22, correct?

3 A. Yes. Yes.

4 Q. The only thing that's inaccurate about this notice of  
5 separation is the June 24th date, right?

6 A. Yes.

7 Q. Okay. Is it possible that Starbucks individuals who  
8 drafted this document did a clerical error when they noted the  
9 24th and not the 4th?

10 A. Yes.

11 Q. Okay. And again, you testified earlier that you were  
12 aware upon receipt of this that you could appeal this decision  
13 to Starbucks, correct?

14 A. Yes. When they gave me the FAQs.

15 Q. Right. Did you appeal this decision to Starbucks?

16 A. No.

17 Q. Did you challenge the inconsistency or the incorrect date  
18 on the notice of separation with anyone at Starbucks?

19 A. No.

20 Q. Right, because you agree that you in fact were late by 29  
21 minutes on June 4th, '22, correct?

22 A. I agree that I was late.

23 Q. But you agree as we sit here today, we're not disagreeing  
24 that you were in fact late on June 4th, '22, correct?

25 A. We're not.

1 Q. And Starbucks management also told you that you could  
2 appeal this decision if you wanted to when you were issued the  
3 notice of separation, correct?

4 A. Yes.

5 Q. And still, you decided not to challenge it?

6 A. No, I didn't.

7 MR. BALSAM: I'd like to move into evidence RX-7.

8 JUDGE RINGLER: It's admitted.

9 MR. BALSAM: Did I already do that, Judge. I'm sorry.

10 JUDGE RINGLER: You did, right. You're fine.

11 BY MR. BALSAM:

12 Q. Now, you testified that you later learned in an  
13 unemployment insurance hearing that the date on the separation  
14 notice was incorrect; is that correct?

15 A. Yes.

16 Q. And you also testified that you had appeared on three  
17 dates for the unemployment insurance hearing, correct?

18 A. Uh-huh (affirmative).

19 Q. You were here earlier when Counsel for the General Counsel  
20 introduced into evidence transcripts to two dates. Do you know  
21 what happened to the third date?

22 A. I did not receive a transcript from it. The only thing I  
23 did was ask the judge for more time so that I could get an  
24 attorney.

25 Q. Do you know if that was transcribed?

1 A. I wouldn't know. This is what they sent me.

2 JUDGE RINGLER: So when you make a request like this, you  
3 just request your unemployment insurance hearing transcripts?

4 THE WITNESS: Yes.

5 JUDGE RINGLER: And you asked for it generally, and then  
6 you got back these two dates.

7 THE WITNESS: Yes.

8 JUDGE RINGLER: Okay.

9 BY MR. BALSAM:

10 Q. You testified that you were also late on May 6th, '22,  
11 correct?

12 A. 26th.

13 Q. May 26th?

14 A. Yes.

15 Q. Okay. How late were you on May 26th?

16 A. Between 40 and 45 minutes.

17 Q. Okay. And was that for an opening shift?

18 A. I was scheduled at the time the store opened, so I didn't  
19 do the first half hour of prepping the store, but I was  
20 supposed to be there clocked in when the store opened while --

21 Q. Okay. Were you the only shift supervisor who was working  
22 that day?

23 A. No.

24 Q. Who was the other shift supervisor?

25 A. Kayla Disorbo.

1 Q. And you said that you were not disciplined for being late  
2 on that day?

3 A. No.

4 Q. Do you know why?

5 A. No idea.

6 Q. Did anyone speak to you as to why you were not  
7 disciplined?

8 A. I had the conversation with Josie that I testified about  
9 earlier, but I'm not sure if that was in reference to May 26th  
10 or June 4th.

11 Q. Okay. On May 26th, did Kayla have the key to open the  
12 cafe prior to it --

13 A. Yes.

14 Q. Prior to the start of the day?

15 A. Yes.

16 Q. So the fact that you were late really was not an issue for  
17 the rest of the partners and the operations of the store,  
18 correct?

19 A. No.

20 Q. So the subsequent date of your tardiness, which did have  
21 operational challenges as a result, is different from the May  
22 26th incident, correct?

23 A. Yes.

24 Q. The circumstances are different?

25 A. Yes.

1 Q. Now, you testified about changing your availability.

2 A. Uh-huh (affirmative).

3 Q. When did you change your availability?

4 A. I'm not sure an exact date.

5 Q. Was it before May 26th?

6 A. No.

7 Q. Okay.

8 A. I don't believe so.

9 MR. BALSAM: One moment, Judge.

10 JUDGE RINGLER: Okay.

11 BY MR. BALSAM:

12 Q. Ms. Conklin, on the date May 26th when you were late, what  
13 operational issues were caused as a result of you being late to  
14 work on any given day?

15 A. If you were the key holder, that means the key holder  
16 before you can't go home. And if you're a barista, it means  
17 that the floor is short staffed until you get there.

18 Q. Ms. Conklin, do you know if the store was short staffed on  
19 May 26th prior to your arrival -- prior to your late arrival?

20 A. I don't know.

21 MR. BALSAM: Nothing further, Judge.

22 JUDGE RINGLER: Was there an objection?

23 MS. SNELLING: Just speculation, but she said I don't  
24 know, so it's fine.

25 JUDGE RINGLER: Okay.

1 MR. BALSAM: I've nothing further.

2 JUDGE RINGLER: And you're squared away? Okay. Anything  
3 on redirect?

4 MS. SNELLING: Yes, Your Honor.

5 REDIRECT EXAMINATION

6 BY MS. SNELLING:

7 Q. Okay, Vic. So you testified that you didn't fill out any  
8 paperwork when you requested the transfer or requested to  
9 transfer from, I think it was Tracy and then also Greta.

10 A. Right.

11 Q. Okay. So what, if any, verbal request did you make to  
12 transfer?

13 MR. BALSAM: Objection. Witness already testified to  
14 that.

15 JUDGE RINGLER: Sustained. There was a lot of testimony  
16 about the prior verbal requests.

17 MS. SNELLING: Okay. Just want to make sure it's clear,  
18 Your Honor.

19 BY MS. SNELLING:

20 Q. And you testified that you transferred prior from one  
21 store to the other.

22 A. Uh-huh (affirmative).

23 Q. When did you make that transfer from --

24 MR. BALSAM: Asked and answered. The witness already  
25 testified that she wasn't sure of the date.

1 MS. SNELLING: That's I think --

2 JUDGE RINGLER: Sustained. Sustained.

3 BY MS. SNELLING:

4 Q. Okay. Your first transfer from Walden Galleria to East  
5 Robinson, was that before the Buffalo Union campaign?

6 MR. BALSAM: Objection. Asked and answered.

7 JUDGE RINGLER: I'll allow it just to move things forward.  
8 Go ahead. You can answer.

9 THE WITNESS: Yes, it was.

10 MS. SNELLING: Okay. Sorry.

11 BY MS. SNELLING:

12 Q. Okay. And Vic, you talked about the cash being unsecured.

13 A. Uh-huh (affirmative).

14 Q. If someone broke into the store, how would someone be able  
15 to get into the till the way that you had left it when you went  
16 on strike?

17 MR. BALSAM: Objection. Calls for speculation. Witness  
18 can't testify to what a potential burglar would be able to do -  
19 -

20 JUDGE RINGLER: Well, she already answered it. I think I  
21 asked you a question about it, and you talked about somebody  
22 prying open the cash register. Do you recall that?

23 THE WITNESS: Yeah, we did. We talked about it.

24 JUDGE RINGLER: Okay. So asked and answered.

25 MS. SNELLING: Okay. Hold on one moment, Your Honor.

1 JUDGE RINGLER: Okay. Of course.

2 BY MS. SNELLING:

3 Q. And Vic, we'll turn to your final written warning that you  
4 received. So you agree that -- do you agree with receiving  
5 this final written warning?

6 MR. BALSAM: Objection. Vague.

7 JUDGE RINGLER: You received this final written warning,  
8 correct?

9 THE WITNESS: I did receive it.

10 JUDGE RINGLER: All right.

11 BY MS. SNELLING:

12 Q. Do you agree with being disciplined for what you were  
13 disciplined for on this day?

14 MR. BALSAM: Objection. Irrelevant.

15 JUDGE RINGLER: That's different. You kind of asked her  
16 something related to that. So you can answer. Go ahead.

17 THE WITNESS: I don't agree. No.

18 BY MS. SNELLING:

19 Q. Okay. And why not?

20 A. Because I'm very confident that I had accidentally left a  
21 drawer in the register overnight, as had many of my coworkers.  
22 And that, although I can't give specific dates on that, I'm  
23 also very sure that I have not heard of anybody being put on a  
24 final written warning for leaving a till out unless it was a  
25 pattern of behavior that was happening very consistently. And



1 that's not what was happening with me.

2 Q. Okay. For your notice of separation, you don't  
3 necessarily have to look at it, but you testified that you  
4 didn't appeal the separation?

5 A. No.

6 Q. Why didn't you appeal it?

7 MR. BALSAM: Objection. Asked and answered.

8 JUDGE RINGLER: I don't think she said that. So go ahead.

9 MR. BALSAM: She did.

10 THE WITNESS: I didn't appeal it because I thought that my  
11 appeal would be denied.

12 BY MS. SNELLING:

13 Q. Okay. And why did you think that?

14 A. Because I felt that I had been fired in retaliation for  
15 Union activity and I didn't think that the company would give  
16 me my job back if I asked -- I asked them to.

17 Q. Okay. Okay. And so then also you testified that on June  
18 4th you came in late, correct?

19 A. Uh-huh (affirmative).

20 Q. And you were the key holder that day?

21 A. I was.

22 Q. Okay. And so were any customers not served as a result of  
23 you being late that day?

24 MR. BALSAM: Objection. Irrelevant.

25 JUDGE RINGLER: I'll allow it. You could answer. You're

1 saying no?

2 THE WITNESS: I don't -- not that I can recall, no.

3 BY MS. SNELLING:

4 Q. Okay. And also you testified you being late on June 4th  
5 and then on May 26th, those circumstances were slightly  
6 different; is that correct?

7 A. Yes.

8 Q. Okay. And how late were you on May 26th?

9 A. 40 to 45 minutes.

10 Q. Okay. And then on June 4th you were how late?

11 A. 29 minutes.

12 Q. Okay. And what day were you -- what instance of you being  
13 late were you terminated for?

14 A. June 4th.

15 Q. Okay.

16 MS. SNELLING: Okay. No further questions, Your  
17 Honor.

18 JUDGE RINGLER: Okay.

19 MR. DOLCE: I just have really quick.

20 JUDGE RINGLER: Sure.

21 BY MR. DOLCE:

22 Q. So you're scheduled 30 minutes before your shift is  
23 supposed to begin?

24 A. No. You're scheduled 30 minutes before the store opens  
25 for business.

1 Q. 30 minutes. And then, so you were 29 minutes late that  
2 morning?

3 A. Yes.

4 Q. So you were there before the store was supposed to open  
5 that morning?

6 A. Yes.

7 Q. Because you were 29 minutes late when you clocked in the  
8 system, correct?

9 A. Yes.

10 Q. So you would've opened the door before you clocked in,  
11 correct?

12 A. Yes.

13 Q. And do you remember that morning if other partners had  
14 clocked in before you?

15 MR. BALSAM: Objection. The witness testified the other  
16 parties could not have clocked in because she wasn't there.

17 JUDGE RINGLER: Sustained.

18 BY MR. DOLCE:

19 Q. Sorry, let me -- it was a bad question. After you had  
20 opened the door -- because when you opened the door to the  
21 restaurant, do you automatically clock in --

22 A. No.

23 Q. -- or are those two different acts?

24 A. Two different acts.

25 Q. And so from the time you opened the door to when you

1 clocked in the shift, do you remember if any other partners had  
2 clocked in before you were able to?

3 A. I told the baristas that I was there with to clock in  
4 before me.

5 Q. So other baristas clocked in before you had clocked in?

6 A. Yes.

7 Q. When you opened the store that morning, did you re-lock  
8 the doors when you were setting up or did you leave them open  
9 for customers?

10 MR. BALSAM: Objection. Relevance.

11 JUDGE RINGLER: I'll sustain. I'll sustain, because it  
12 really gets to the bottom line that an employer, if they want  
13 to schedule their employees two hours before the store opens or  
14 four hours, that you're late if -- and I understand you're  
15 saying for practical purposes they didn't lose business. I  
16 understand that. You made your argument in that regard.

17 MR. DOLCE: Nothing further.

18 JUDGE RINGLER: Okay.

19 MR. BALSAM: Judge, I have follow-up.

20 JUDGE RINGLER: Go ahead.

21 MR. BALSAM: Thanks.

22 RE CROSS EXAMINATION

23 BY MR. BALSAM:

24 Q. When you transferred from Walden Galleria to East  
25 Robinson, you didn't solicit the transfer. You were contacted

1 and asked to transfer, correct?

2 A. I had mentioned that I wanted to transfer to the East  
3 Robinson store, but the final determination kind of thing was a  
4 phone call from my manager.

5 Q. Asking if you were to --

6 A. Asking if I was sure I wanted to transfer, yes.

7 Q. And was East Robinson a new store at that time?

8 A. Yes.

9 Q. Now, you testified when you were asked on a redirect  
10 whether you disagreed with the final written warnings in the  
11 separation, right?

12 A. Yes.

13 Q. You said you did.

14 A. I did.

15 Q. Right. But you don't disagree with the substance of why  
16 you were terminated? You were issued a final written warning.

17 MS. SNELLING: Objection. Asked and answered.

18 JUDGE RINGLER: Well, I'll sustain the objection. But I  
19 will note for the record, she is admitting the underlying  
20 conduct, right? She's saying I was late on June the 4th and at  
21 that point, it means what it means. If everyone gets  
22 disciplined for coming in late once, then that supports your  
23 argument, right?

24 If there's a lot of employees that come in late and  
25 nothing happens or they don't get fired 20 times, whatever,

1 then that probably detracts from it. So I think the way I  
2 perceive the lateness issue is given that the underlying  
3 conduct was admitted, probably a lot of it's going to fall down  
4 to the disparate treatment piece if it is or if it's not. So  
5 that's my perspective on that.

6 MR. BALSAM: Understood.

7 JUDGE RINGLER: Yes.

8 MR. BALSAM: I have nothing else.

9 JUDGE RINGLER: Okay. All right. Right. You're squared  
10 away as well, I'm assuming?

11 MS. SNELLING: Yes, Your Honor.

12 JUDGE RINGLER: Okay, very good. So thank you. Your lead  
13 up I know was difficult. I appreciate your testimony.

14 THE WITNESS: Thank you.

15 JUDGE RINGLER: You are excused. You're very welcome. I  
16 only ask you not to discuss your testimony with anyone.

17 THE WITNESS: Of course.

18 JUDGE RINGLER: You can just leave them up there and just  
19 turn them over because maybe a different witness might use  
20 those.

21 THE WITNESS: There's something on the back of this one  
22 I'm going to -- hold on, there's on the back -- okay.

23 JUDGE RINGLER: Okay, then.

24 THE WITNESS: Now I'm off.

25 JUDGE RINGLER: Okay.

1 THE WITNESS: Thank you.

2 JUDGE RINGLER: Thank you. All right. So it's 5:30 and  
3 I'm assuming you don't have a -- yes, go ahead.

4 MR. BALSAM: I have a subpoena to give to the witness  
5 before she leaves unless Mr. Dolce wishes to accept service on  
6 our behalf.

7 JUDGE RINGLER: Okay.

8 MR. DOLCE: We'll accept service. Okay.

9 JUDGE RINGLER: Subpoena connected to the video?

10 MR. BALSAM: Any and all recordings that this witness may  
11 have.

12 JUDGE RINGLER: Okay. Okay.

13 MR. GOODE: Your Honor, I would only -- I assume we're  
14 still on the record. I would only object that the record has  
15 opened. I think the rule states that any subpoenas at this  
16 point need to be asked for and provided by Your Honor,  
17 regardless of whether they were issued by the region before the  
18 hearing opened. The hearing is now opened and subpoenas have  
19 to come from --

20 JUDGE RINGLER: Yeah. He's allowed to issue a subpoena.  
21 So I'm indicating that I'll permit it. Now, if there's  
22 argument, a petition to revoke or whatever, that's a different  
23 story, but --

24 MR. GOODE: Okay. Just want to note that for the record,  
25 Your Honor.

1 JUDGE RINGLER: I mean, I could initial it, but I don't  
2 think I need to do that. So I'll --

3 MR. DOLCE: You can email Scott --

4 MR. BALSAM: I mean, if you're willing to accept service  
5 by email of all the subpoenas in relation to the individuals  
6 who'll be testifying, then I'm happy to do that if it is  
7 easier. Let me know.

8 MR. DOLCE: I'll let you know.

9 MR. BALSAM: Okay.

10 JUDGE RINGLER: Okay, so we've got that covered. So we  
11 are squared away in terms of this witness. I'm assuming you  
12 don't have a number two hitter that's a shorter witness.

13 MR. GOODE: I don't, Your Honor. I'm sorry.

14 JUDGE RINGLER: Okay. That's fine. That's fine. So  
15 we'll reconvene tomorrow at 9:00 and we'll continue then with  
16 our first witness of the day. So thanks so much.

17 MR. BALSAM: Thank you, Judge.

18 MS. SNELLING: Thank you.

19 JUDGE RINGLER: We're off the record.

20

21 (Whereupon, at 5:56 p.m., the hearing in the above-entitled  
22 matter was recessed to reconvene on Tuesday, April 18, 2023 at  
23 9:00 a.m.)

24

25



## CERTIFICATION

This is to certify that the attached proceedings before the National Labor Relations Board (NLRB), Region 3, in the matter of Starbucks Corporation, Case No. 03-CA-295810, at Buffalo, New York, on Monday, April 17, 2023, was held according to the record, and that this is the original, complete, and true and accurate transcript that has been compared to the recording from the hearing, that the exhibits are complete and no exhibits received in evidence or in the rejected file are missing.

*Rhett Baker*

---

Rhett Baker

	5:11	<b>advise (1)</b> 12:8	<b>akin (2)</b> 59:25;140:25	143:24;144:7,11
<b>\$</b>	<b>across (4)</b> 22:5;33:19;38:4; 39:5	<b>advisement (1)</b> 29:12	<b>alarm (7)</b> 79:23;80:2,3; 123:11,13,19;125:5	<b>announcing (1)</b> 48:15
<b>\$5 (1)</b> 56:1	<b>Act (2)</b> 37:6,15	<b>affidavit (2)</b> 115:4;116:22	<b>ALJ (3)</b> 8:12;18:2;40:2	<b>answered (8)</b> 129:3;140:23; 157:24;158:6,20,24; 160:7;164:17
<b>A</b>	<b>acting (4)</b> 76:19,19;77:8,16	<b>affidavits (4)</b> 117:7,15,24;118:5	<b>ALJD (1)</b> 17:16	<b>anticipated (1)</b> 92:11
<b>abandon (1)</b> 104:8	<b>action (7)</b> 39:10;62:11,13,16; 145:2;146:3,12	<b>affiliated (1)</b> 13:7	<b>allegation (4)</b> 28:13;58:11;70:16; 116:18	<b>anti-Union (5)</b> 34:5;38:9;39:7,14; 143:24
<b>Abby (1)</b> 97:19	<b>actions (4)</b> 37:16;62:19;70:11; 136:22	<b>affiliation (3)</b> 130:10;143:24; 144:7	<b>allegations (5)</b> 18:12;37:4;39:18; 70:7;141:20	<b>anymore (1)</b> 52:4
<b>A-b-i- (1)</b> 5:19	<b>activity (6)</b> 33:9;37:14;38:13; 39:12;144:14;160:15	<b>affirmative (10)</b> 76:15;98:8,99:3; 147:14;150:24; 153:18;156:2;157:22; 158:13;160:19	<b>allege (1)</b> 141:9	<b>A-okay (1)</b> 43:4
<b>abide (1)</b> 35:7	<b>acts (2)</b> 162:23,24	<b>afternoon (2)</b> 44:22;76:12	<b>alleged (2)</b> 27:10;32:11	<b>apologize (5)</b> 10:22;11:2,14;28:9; 85:21
<b>Abigail (1)</b> 5:19	<b>actual (1)</b> 107:4	<b>afterwards (1)</b> 52:10	<b>alleges (1)</b> 37:3	<b>apologized (1)</b> 82:5
<b>ability (3)</b> 34:3;66:3;146:14	<b>actually (11)</b> 23:22;24:3;69:18; 80:7;101:3;128:17; 129:1,7;131:12; 140:9;149:16	<b>again (23)</b> 14:11;16:9,18; 17:21;21:5;24:6; 28:20;29:2,7;37:1; 40:17;55:16;56:22; 57:25;65:9;70:13; 73:22;74:4;84:6; 92:15;119:3,6;152:11	<b>Allegra (1)</b> 36:10	<b>app (1)</b> 94:10
<b>able (17)</b> 22:6,10;24:3;26:13; 15:40;24:54;21;55:9; 88:4;122:24;127:19; 130:17;137:6,9; 158:14,18;163:2	<b>add (5)</b> 7:4,12;30:6;99:13; 100:23	<b>against (5)</b> 23:5;33:14;34:16; 39:18;53:9	<b>allow (15)</b> 21:6;59:2,7;60:1,8; 66:6;67:20;84:14; 92:18;97:23;104:23; 115:20;116:9;158:7; 160:25	<b>apparently (1)</b> 10:25
<b>above-entitled (2)</b> 1:12;167:21	<b>added (2)</b> 28:9,12	<b>agency (2)</b> 39:22;110:13	<b>allowed (3)</b> 16:22;19:5;166:20	<b>appeal (9)</b> 19:1;145:24; 152:12,15;153:2; 160:4,6,10,11
<b>absence (2)</b> 124:15,22	<b>addition (4)</b> 25:10;36:17;49:16; 101:18	<b>aggression (1)</b> 38:11	<b>almost (2)</b> 46:6;63:4	<b>Appeals (1)</b> 109:8
<b>absolute (1)</b> 23:9	<b>additional (5)</b> 7:4;9:1;28:9;99:14; 145:6	<b>aggressive (2)</b> 38:8;40:3	<b>alone (1)</b> 78:20	<b>appear (1)</b> 147:15
<b>absolutely (6)</b> 37:22;40:21;49:8; 11;102:18;113:11	<b>Additionally (1)</b> 100:5	<b>ago (6)</b> 7:13,22;33:3,4; 45:10;119:3	<b>along (6)</b> 9:1;49:21;85:1; 86:5;92:23;100:25	<b>appearances (2)</b> 5:15;6:19
<b>accept (5)</b> 18:6;109:16;166:5, 8;167:4	<b>adds (2)</b> 99:9;102:3	<b>agreed (1)</b> 72:12	<b>aloud (1)</b> 63:18	<b>appeared (1)</b> 153:16
<b>access (7)</b> 22:4;24:3,7;77:6; 102:21;122:21,24	<b>admin (1)</b> 77:10	<b>agree (12)</b> 19:7;59:19;65:16, 18;105:2;152:20,22, 23;159:4,4,12,17	<b>altered (1)</b> 97:12	<b>applies (3)</b> 11:21;31:5,8
<b>accessible (1)</b> 123:1	<b>Administrative (1)</b> 1:13	<b>ahead (29)</b> 13:3;18:17;20:5; 23:18;37:25;48:24; 55:8;57:3;60:8;67:20; 71:10,13;77:21; 82:17;83:6,94:18; 97:7;107:8;108:23; 113:14;115:9,20; 116:9;125:2;158:8; 159:16;160:8;163:20; 166:3	<b>although (1)</b> 159:22	<b>apply (1)</b> 44:16
<b>accidentally (5)</b> 72:15;87:1;111:16, 20;159:20	<b>admissible (1)</b> 109:24	<b>agreement (4)</b> 123:10,14;125:6,11	<b>always (1)</b> 117:3	<b>appointment (1)</b> 98:17
<b>accommodate (1)</b> 25:8	<b>admit (15)</b> 7:7;16:22;29:2; 50:25;66:9;67:5;90:8; 110:14;122:7,13; 125:16;131:24;134:4; 135:4;142:21	<b>aids (1)</b> 101:1	<b>Amateur (1)</b> 120:13	<b>appreciate (5)</b> 8:17;23:2;25:20; 59:19;165:13
<b>accord (1)</b> 16:10	<b>admitted (15)</b> 27:18,19;28:8,11, 16;29:1;70:18;90:15; 109:11;110:2;135:16, 18;151:15;153:8; 165:3		<b>Amato (1)</b> 36:8	<b>approach (6)</b> 120:11;123:3; 130:22;133:9;142:5; 150:23
<b>accordingly (1)</b> 17:11			<b>amended (2)</b> 28:22,22	<b>approached (1)</b> 53:15
<b>accountable (2)</b> 37:18;132:13			<b>Amendment (1)</b> 20:8	<b>appropriate (1)</b> 110:12
<b>accurate (8)</b> 9:9;50:19;64:25; 66:7;67:4;70:22;90:3; 91:9			<b>Among (1)</b> 36:11	<b>appropriately (1)</b> 18:1
<b>accused (2)</b> 35:5;141:23			<b>amongst (1)</b> 41:9	<b>approved (1)</b> 56:8
<b>acknowledgement (3)</b> 121:5,11;122:3	<b>admitting (1)</b> 164:19		<b>Anastasi (1)</b> 36:10	<b>approving (3)</b> 150:11,14,19
<b>acquaintance (1)</b>	<b>advance (1)</b> 26:10		<b>and/or (1)</b> 136:22	<b>approximately (3)</b> 56:22;72:3;111:6
			<b>animus (3)</b>	<b>April (4)</b>

1:15;47:15;78:1; 167:22 <b>apron (2)</b> 47:8;94:24 <b>area (7)</b> 32:23;25;33:14,16, 19,20;39:15 <b>areas (1)</b> 35:18 <b>argue (1)</b> 58:22 <b>argument (4)</b> 71:4;163:16; 164:23;166:22 <b>arguments (1)</b> 27:15 <b>arm (2)</b> 80:5;93:11 <b>arms (1)</b> 67:15 <b>around (11)</b> 7:14;14:11;33:18; 38:22;39:6;41:6;46:4; 63:6;69:7;115:13; 133:4 <b>arrival (2)</b> 156:19,19 <b>arrived (3)</b> 72:9;87:21;149:24 <b>aside (1)</b> 36:15 <b>assigned (2)</b> 5:12;124:13 <b>assistant (1)</b> 145:19 <b>assume (2)</b> 137:3;166:13 <b>assuming (6)</b> 53:22;69:15;114:7; 165:10;166:3;167:11 <b>attached (1)</b> 134:7 <b>attempt (3)</b> 34:7;38:22;77:6 <b>attendance (6)</b> 36:2;121:16;131:3; 132:5;133:17;136:5 <b>attending (1)</b> 36:15 <b>attention (3)</b> 13:15,17,24 <b>attorney (2)</b> 65:10;153:24 <b>audience (4)</b> 13:25;14:1;35:20; 87:1 <b>audio (6)</b> 91:3,14;97:11,14, 23,23 <b>August (5)</b> 32:22;39:15;46:14; 59:23;132:11 <b>automatically (2)</b>	80:14;162:21 <b>availability (5)</b> 46:6;113:6,7;156:1, 3 <b>available (4)</b> 16:2,4;40:4;122:17 <b>Ave (3)</b> 33:24;34:21;36:21 <b>Avenue (3)</b> 1:14;33:6;38:17 <b>average (1)</b> 46:3 <b>Avery (2)</b> 139:2,7 <b>Avery's (1)</b> 139:3 <b>avoid (1)</b> 8:5 <b>aware (20)</b> 12:7;17:13;59:16; 62:8;98:5;115:3; 128:14,16,19;130:21; 132:12;137:1,5,16; 140:25;141:3,6; 146:8,9;152:12 <b>away (5)</b> 86:7;93:25;157:2; 165:10;167:11 <b>awfully (1)</b> 135:2 <b>awkward (1)</b> 91:24	5;18;16,18,21,25; 19:5;20:6,21,25; 23:12,14;26:25;27:4; 28:21;29:3,21;30:1,4, 10,12,23;31:3,6,13, 19,25;32:7,14,17; 40:10;44:18;47:3; 48:18;50:24;52:21; 53:20,23;54:3,5;55:4; 58:7,9,15;59:9;60:3, 17;62:1;66:1,12,16, 18,21,24;67:1,4,19; 68:16;70:5,13;71:6, 19;72:5;73:6;82:16, 23;84:13;85:18; 90:12,14;91:14,16; 92:17;97:6,8,10,22; 98:5,9,11,12;103:5, 17;104:17;106:7; 107:7;109:13;113:17, 20;115:19;116:6,16; 117:18,20;118:20,25; 119:6,10,13,17,19; 120:1,4,11,13,17,19, 22;121:1,23;122:8,12, 15;123:3,5;124:24; 125:20;129:6;130:22, 24;131:10;132:2; 133:9,11;134:3,8,13, 18,21,24;135:5,10; 136:2;141:5,11,16,18; 142:5,7,16,24;145:23; 147:18;150:10,16,18, 23,25;151:10,17; 153:7,9,11;154:9; 156:9,11,21;157:1,13, 24;158:6,17;159:6, 14;160:7,9,24; 162:15;163:10,19,21, 23;165:6,8;166:4,10; 167:4,9,17 <b>B-a-l-s-a-m (1)</b> 6:1 <b>Bannon-Mills (1)</b> 23:5 <b>bar (6)</b> 76:2;78:24,25;79:1, 3;148:1 <b>bargain (5)</b> 27:12;28:17;29:9; 36:24;39:23 <b>bargaining (4)</b> 27:25;35:11,14; 39:5 <b>barista (11)</b> 45:18;55:16,24,25; 72:16;74:11;93:12; 138:23;149:2,18; 156:16 <b>baristas (8)</b> 132:21;148:20; 149:7;150:11,15,20; 163:3,5	<b>baseball (1)</b> 35:15 <b>based (11)</b> 20:11;22:14;60:3; 61:24;62:5;70:17; 104:19;140:13; 141:12;142:1,25 <b>baselessly (1)</b> 35:5 <b>basically (2)</b> 57:15;134:24 <b>basis (5)</b> 13:18;23:4,6;53:21; 135:4 <b>batch (1)</b> 20:16 <b>bear (1)</b> 19:16 <b>bearing (1)</b> 118:23 <b>beating (1)</b> 27:6 <b>became (2)</b> 67:22;138:4 <b>become (5)</b> 38:8;46:13,18,22; 146:9 <b>began (2)</b> 76:24;116:14 <b>begin (5)</b> 10:9;32:25;56:19; 76:10;161:23 <b>beginning (4)</b> 35:10;51:25;56:23, 24 <b>begins (1)</b> 32:22 <b>behalf (7)</b> 5:16;6:2,4,15;38:7; 42:23;166:6 <b>behave (1)</b> 39:21 <b>behavior (3)</b> 39:14;139:23; 159:25 <b>behind (3)</b> 24:22,23;75:13 <b>belabor (1)</b> 59:21 <b>belief (1)</b> 144:2 <b>believes (1)</b> 39:23 <b>belongs (1)</b> 9:19 <b>below (1)</b> 144:21 <b>benefit (1)</b> 11:12 <b>benefits (1)</b> 35:21 <b>besides (3)</b> 57:18;99:6;134:5	<b>best (23)</b> 11:13;14:2;20:14; 22:23;23:9;25:7,12; 40:25;41:2,4;50:20; 64:24;78:15;82:8,20, 21;83:2;90:3;98:1; 100:8;108:13;112:18; 122:1 <b>bet (1)</b> 7:20 <b>Beth (1)</b> 140:8 <b>better (8)</b> 15:6;27:21;28:3; 35:4;50:6;104:7; 135:11;143:7 <b>beyond (4)</b> 14:23;98:21;110:3; 148:9 <b>big (4)</b> 16:12;28:18;38:23; 66:15 <b>bit (3)</b> 91:21;103:9;141:15 <b>black (2)</b> 39:24;94:23 <b>blamed (1)</b> 35:10 <b>blank (1)</b> 64:23 <b>blatant (2)</b> 34:7;37:16 <b>bless (1)</b> 31:10 <b>BOARD (14)</b> 1:2,14;15:25;18:2; 19:18;28:17;29:5; 32:8,10,18;89:16; 93:7;109:4,8 <b>Board's (1)</b> 23:22 <b>book (7)</b> 73:19,23,24;137:4, 18,19,19 <b>both (10)</b> 26:22;38:14,23; 52:8;53:15;100:12; 103:17;142:12; 143:16;149:4 <b>bottle (1)</b> 43:3 <b>bottom (5)</b> 93:14;131:7; 133:19;151:6;163:12 <b>Boulevard (1)</b> 53:6 <b>box (3)</b> 65:14,14;144:22 <b>boy (1)</b> 28:16 <b>break (6)</b> 8:2;31:1;38:13; 104:6;117:2,15
---	---	---	--	---

<b>breaks (1)</b> 136:19 <b>bridge (1)</b> 29:23 <b>brief (2)</b> 110:17;114:21 <b>briefs (1)</b> 19:17 <b>bring (5)</b> 13:23;43:3;85:5,11; 148:7 <b>brings (1)</b> 33:17 <b>Brisack (3)</b> 36:19;69:5,13 <b>B-r-i-s-a-c-k (1)</b> 69:19 <b>broad (1)</b> 8:19 <b>broader (1)</b> 57:22 <b>broke (3)</b> 92:14,16;158:14 <b>Brooklyn (1)</b> 109:8 <b>brought (2)</b> 13:17;43:2 <b>bucket (1)</b> 67:23 <b>Buffalo (26)</b> 1:15;15:10,12,17; 18:6,10;26:25;27:2; 32:23,25;33:6,9,11, 14,19;38:14;39:14; 46:23;118:7;119:1,2, 8;132:8,10,11;158:5 <b>built (1)</b> 37:9 <b>bunch (2)</b> 28:5;41:8 <b>burglar (1)</b> 158:18 <b>business (6)</b> 20:20;55:18;67:4; 127:17;161:25; 163:15 <b>busting (1)</b> 33:13 <b>button (1)</b> 94:12 <b>buttons (1)</b> 94:9	31:1,16;76:19;80:4; 131:21;146:11;164:4 <b>called (8)</b> 35:13;41:8;42:23; 61:18;69:7;71:16,21; 147:11 <b>call-offs (2)</b> 67:24,25 <b>calls (3)</b> 42:7;52:21;158:17 <b>came (9)</b> 1:12;63:5;72:2,10; 75:23;109:21;129:16; 144:15;160:18 <b>camera (3)</b> 94:10,10;118:3 <b>Camp (2)</b> 34:1,17 <b>campaign (10)</b> 33:1,2;36:20;37:12; 38:4,9;115:16; 116:14;144:13;158:5 <b>campaigns (2)</b> 38:15;39:7 <b>can (64)</b> 7:8;10:4,17;11:19; 13:18;17:20;18:4; 22:25;23:1;24:3,7; 25:9;31:23;40:16,17; 42:16;47:4;50:2; 52:24;58:21,23;66:5; 73:8,25;80:18,19; 87:2;92:15;93:10,13, 14,16,18;95:12; 98:18;102:7;106:12; 109:17;110:2;113:9; 115:20;117:13; 119:14,20,21,25; 122:21;129:4,5; 130:12;133:16;134:6, 13;135:17;137:3; 144:4;145:18;146:2, 11;158:8;159:16; 161:2;165:18;167:3 <b>candidly (1)</b> 134:5 <b>captive (1)</b> 35:20 <b>Cardinal (2)</b> 139:4,5 <b>care (6)</b> 9:19;10:1;85:5,12; 86:1;148:7 <b>Case (42)</b> 1:3;5:5,5,6;11:10, 19;13:18,18;14:16; 15:23;16:15,18; 17:11,19;18:5;19:2, 20,20;20:10,12; 22:10;30:5;31:10; 32:22;37:3;38:2,5; 40:10;41:17;42:5; 52:15;53:6;74:1;	82:25;100:6;110:21; 127:13,16;129:16,18; 130:9;134:1 <b>cases (3)</b> 24:1,9;26:12 <b>cash (24)</b> 65:15;67:14;70:11, 21;72:12,20;73:1,17; 75:24;81:13;82:3; 83:9;136:24;137:7; 138:18;139:10,19; 140:1,3,10;145:10; 146:19;158:12,22 <b>catch (1)</b> 67:10 <b>caused (1)</b> 156:13 <b>caution (2)</b> 101:20;110:16 <b>cell (1)</b> 97:20 <b>Central (3)</b> 21:14,15;41:25 <b>CEO (3)</b> 32:24;37:7;39:16 <b>certain (7)</b> 25:22;59:7;99:9,19; 101:15;136:10; 143:13 <b>certainly (19)</b> 13:19;16:22;17:8, 12,24;19:21;21:6; 25:15;32:20;60:6; 92:18;97:25;102:9; 110:11,17,23;114:16; 118:22;141:10 <b>certainty (1)</b> 17:17 <b>certified (2)</b> 51:9,11 <b>C-h-a-i-n (1)</b> 6:10 <b>chairman (1)</b> 37:7 <b>challenge (4)</b> 146:2,14;152:17; 153:5 <b>challenges (1)</b> 155:21 <b>chance (5)</b> 21:20;22:22;25:14; 26:21;90:24 <b>change (3)</b> 28:15;35:14;156:3 <b>changed (5)</b> 27:20;30:15;38:12; 111:25;116:18 <b>changing (1)</b> 156:1 <b>charge (3)</b> 59:16;124:1,9 <b>charged (2)</b> 38:2;124:16	<b>charges (1)</b> 39:11 <b>Charging (4)</b> 1:9;5:23;37:21; 115:4 <b>chart (2)</b> 43:18,20 <b>charts (1)</b> 43:24 <b>check (3)</b> 74:14;87:25;104:8 <b>check-in (1)</b> 87:22 <b>chief (2)</b> 22:10;40:10 <b>Chippewa (1)</b> 34:1 <b>chose (3)</b> 35:2,4,9 <b>Chris (2)</b> 93:12,17 <b>circulated (1)</b> 6:21 <b>circumstance (1)</b> 67:11 <b>circumstances (3)</b> 99:2;155:24;161:5 <b>cite (1)</b> 16:3 <b>civility (1)</b> 36:2 <b>clarification (5)</b> 28:3;70:1;73:16; 84:19;96:4 <b>clarify (6)</b> 23:22;26:25;30:24; 64:14;96:21;146:17 <b>clarifying (1)</b> 141:11 <b>clarity's (1)</b> 100:8 <b>Clark (6)</b> 48:5,6,7,8;52:3,6 <b>clasp (1)</b> 79:10 <b>clean (6)</b> 30:16,17;44:2; 66:13;134:6,11 <b>cleaner (2)</b> 44:9,17 <b>cleaning (1)</b> 72:16 <b>clear (3)</b> 20:7;132:4;157:17 <b>clearly (4)</b> 99:25;100:2,21; 102:6 <b>clerical (1)</b> 152:8 <b>clock (2)</b> 162:21;163:3 <b>clocked (11)</b> 145:15;146:21;	154:20;162:7,10,14, 16;163:1,2,5,5 <b>clocking (1)</b> 114:9 <b>clocks (1)</b> 150:19 <b>clopen (4)</b> 115:25;116:1,4,10 <b>clopens (1)</b> 116:13 <b>close (11)</b> 20:20;74:23; 115:17;116:2;123:16, 24,25;124:7;146:19; 147:4,5 <b>closed (6)</b> 65:16;80:15,15; 81:6;137:8;139:20 <b>closes (1)</b> 46:10 <b>closing (12)</b> 35:8;36:12;72:22; 73:4;74:13,21;75:6; 80:12;115:22;121:18, 19;136:24 <b>closure (1)</b> 34:21 <b>coaching (4)</b> 62:20;132:23; 133:8;144:22 <b>co-counsel (1)</b> 113:10 <b>code (5)</b> 36:2;80:3;98:18; 123:18,19 <b>coffee (4)</b> 35:6;43:4;149:8,8 <b>Cole (1)</b> 36:8 <b>colleague (1)</b> 23:14 <b>collectively (1)</b> 39:24 <b>combination (1)</b> 123:18 <b>comfortable (2)</b> 42:10;52:3 <b>coming (5)</b> 14:6;17:1;114:17; 140:2;164:22 <b>commenced (1)</b> 121:8 <b>comment (1)</b> 17:24 <b>comments (1)</b> 65:5 <b>committee (3)</b> 37:8;39:17;46:23 <b>Common (1)</b> 95:6 <b>Commons (5)</b> 33:25;34:10;68:9; 88:20;93:19
<b>C</b>				
<b>cafe (4)</b> 36:12;56:18; 149:25;155:12 <b>cafes (1)</b> 124:7 <b>calendar (1)</b> 31:17 <b>call (7)</b>				

<b>communicate (3)</b> 68:20;74:1;105:11	27:15	20:10;32:3;60:19; 87:3;98:3;167:15	108:16;110:16; 113:23;115:5;116:7, 23;117:11;153:19,19	85:16,19
<b>communication (3)</b> 5:13;73:20;105:14	<b>conditions (2)</b> 34:23;36:18	<b>continued (4)</b> 33:13;34:14; 125:19;132:1	<b>Counsel's (2)</b> 64:13;108:8	<b>cubby (1)</b> 74:12
<b>company (11)</b> 38:7,12,21;39:5,11, 19,20;122:22;123:17; 139:10;160:15	<b>conduct (3)</b> 146:24;164:20; 165:3	<b>continues (1)</b> 39:12	<b>Counsel's (14)</b> 7:10,15;14:2,13; 15:11;18:19;30:16; 31:10;50:14;51:2; 60:17;67:9;90:16; 110:15	<b>cumbersome (1)</b> 31:14
<b>Company's (3)</b> 39:2,9;40:6	<b>confer (2)</b> 31:25;40:16	<b>continuing (1)</b> 39:21	<b>count (2)</b> 149:5,6	<b>cumulative (3)</b> 101:11,24;102:2
<b>comparatives (1)</b> 114:5	<b>conference (3)</b> 30:25;31:22;42:11	<b>control (1)</b> 124:13	<b>country (7)</b> 26:5;31:4;33:4,10; 34:22;38:18;39:6	<b>cup (1)</b> 43:3
<b>compensated (1)</b> 149:25	<b>confident (2)</b> 121:19;159:20	<b>controversy (1)</b> 48:21	<b>country's (1)</b> 39:8	<b>current (3)</b> 14:18;28:17;109:14
<b>compensation (1)</b> 150:20	<b>confidentiality (3)</b> 123:10,13;125:6	<b>conversation (31)</b> 20:11;52:17;54:11, 19,24;55:1,7;56:15, 19;57:8,11;70:10; 75:3;81:20;82:2,12, 18;83:8,12;86:6;89:9; 91:2,6;94:8;103:24; 104:12;112:9;126:24; 127:12;128:12;155:8	<b>counts (1)</b> 124:14	<b>currently (3)</b> 14:20;28:10;45:7
<b>complainant (1)</b> 70:16	<b>confirm (2)</b> 113:10;141:7	<b>conversations (1)</b> 13:8	<b>couple (8)</b> 11:11;15:4;18:25; 21:2;61:18;77:11; 85:12;115:8	<b>curve (2)</b> 75:5;138:8
<b>complaint (31)</b> 8:23;9:8,11,12; 12:18;15:11;20:8; 24:2;27:17,18,22; 28:12,22,22,23;32:15, 16;42:12;43:7,9,16, 17,18;58:11,18;59:10, 14;60:6;69:14,16; 70:7	<b>confirmation (3)</b> 100:24;110:5,7	<b>copies (4)</b> 8:3;49:17;108:12, 17	<b>course (8)</b> 16:14;38:20; 119:21;120:12; 134:25,25;159:1; 165:17	<b>customers (3)</b> 77:11;160:22;163:9
<b>complaints (2)</b> 28:11;39:10	<b>conflict (1)</b> 52:16	<b>copy (27)</b> 49:6,14;50:19;64:4, 14,20,22,23,23,25; 66:4;89:24;90:1,3; 91:1;98:1;108:25; 118:20,21;134:6,8,11, 14;142:11,17,22; 151:11	<b>court (9)</b> 26:9;49:14,18,22, 24;50:2;102:20,25; 107:13	<b>cut (1)</b> 56:1
<b>complete (7)</b> 23:7;39:8;64:25; 108:13;128:15; 142:17;151:11	<b>confusing (1)</b> 42:1	<b>CORDS (1)</b> 76:6	<b>courtroom (2)</b> 14:8;21:11	
<b>completely (3)</b> 21:10;46:8;70:6	<b>Conklin (29)</b> 36:8;42:8,10,18,22; 43:6,8;120:5;121:2; 122:16;123:6,20; 124:2;130:25;132:3, 15;133:12;136:3; 142:8,17,25;144:18; 145:9,24;148:12; 151:1,18;156:12,18	<b>corner (4)</b> 131:8,17;133:20; 151:6	<b>courts (1)</b> 13:21	<b>D</b>
<b>completing (1)</b> 129:7	<b>Conklin's (3)</b> 134:9,22;151:11	<b>CORPORATION (6)</b> 1:5,5,4,10;6:2; 8:25;45:11	<b>court's (2)</b> 13:15,24	<b>Daily (3)</b> 73:18,23;137:3
<b>compliance (4)</b> 19:24;34:11;53:8, 12	<b>connected (3)</b> 118:6;127:6;166:9	<b>corrective (3)</b> 145:2;146:3,12	<b>cover (2)</b> 12:11;31:9	<b>Dallas (1)</b> 21:15
<b>complicate (1)</b> 44:5	<b>Connor (1)</b> 36:9	<b>correctly (2)</b> 26:7;69:13	<b>covered (3)</b> 27:9;30:18;167:10	<b>Daniel (1)</b> 5:16
<b>complied (1)</b> 20:4	<b>consider (1)</b> 138:14	<b>correspondence (1)</b> 9:2	<b>covering (1)</b> 27:8	<b>D-a-n-i-e-l (1)</b> 5:16
<b>comply (3)</b> 20:14;21:19;40:18	<b>consistently (1)</b> 159:25	<b>corresponding (1)</b> 27:12	<b>COVID (3)</b> 87:22,25;88:3	<b>data (1)</b> 24:5
<b>complying (1)</b> 20:17	<b>consolidated (6)</b> 8:23;9:8;20:8; 27:17,18;28:12	<b>Counsel (56)</b> 5:17;7:15;8:24,25; 13:25;14:1,11;18:18; 19:19;20:5,7,7;21:4, 4;23:15,16,16;30:5,5, 16;31:9;42:7,24; 48:10;57:3;58:14,17; 60:1,8,19;66:2,3;70:8, 21;77:21;87:10; 90:24;92:18,19; 97:15,15;98:1,2,25; 103:18,18;105:22;	<b>coworker (2)</b> 67:21;78:9	<b>date (28)</b> 51:13;56:21;58:24; 59:5;100:14,21; 101:3;102:6;105:7, 13;107:4,4;109:20, 21;110:4,8;111:9; 139:21;145:10; 146:18;152:5,17; 153:13,21;155:20; 156:4,12;157:25
<b>computer (2)</b> 7:24;123:2	<b>conspiracy (1)</b> 39:24	<b>correctly (2)</b> 26:7;69:13	<b>coworkers (11)</b> 46:24;47:9,24;49:3; 65:19;67:13;71:22; 83:23,24;85:10; 159:21	<b>dated (1)</b> 81:11
<b>C-o-n- (1)</b> 42:18	<b>constitutes (1)</b> 27:14	<b>correspondence (1)</b> 9:2	<b>created (1)</b> 36:18	<b>dates (7)</b> 58:23;102:10; 139:24;153:17,20; 154:6;159:22
<b>concern (2)</b> 12:16;13:4	<b>constructively (1)</b> 36:19	<b>corresponding (1)</b> 27:12	<b>credibility (2)</b> 19:1,3	<b>day (44)</b> 21:12;46:6;47:8; 50:12;57:9;61:17; 62:25;63:1,3;64:25; 72:17;73:25;76:21; 81:5,6,7;91:6;93:13; 102:7;104:10;105:6; 111:17;116:5;124:9; 136:13;145:20; 147:22,23;148:15,22, 24,25;149:12,16,19; 154:22;155:2,14; 156:14;159:13; 160:20,23;161:12; 167:16
<b>concerned (2)</b> 17:4;135:1	<b>contacted (2)</b> 126:21;163:25	<b>corresponding (1)</b> 27:12	<b>cross (6)</b> 15:25;98:23; 119:25;120:3;125:19; 132:1	
<b>concerns (2)</b> 15:3;125:10	<b>contain (1)</b> 121:15	<b>Counsel (56)</b> 5:17;7:15;8:24,25; 13:25;14:1,11;18:18; 19:19;20:5,7,7;21:4, 4;23:15,16,16;30:5,5, 16;31:9;42:7,24; 48:10;57:3;58:14,17; 60:1,8,19;66:2,3;70:8, 21;77:21;87:10; 90:24;92:18,19; 97:15,15;98:1,2,25; 103:18,18;105:22;	<b>cry (2)</b>	
<b>conclude (1)</b> 72:21	<b>contains (2)</b> 23:25;134:15	<b>correctly (2)</b> 26:7;69:13		
<b>conclusion (1)</b> 39:20	<b>contempt (1)</b> 40:7	<b>correspondence (1)</b> 9:2		
<b>conclusions (1)</b>	<b>contents (1)</b> 92:19	<b>corresponding (1)</b> 27:12		
	<b>continuation (2)</b> 15:12;33:16	<b>corresponding (1)</b> 27:12		
	<b>continue (6)</b>	<b>corresponding (1)</b> 27:12		

<b>days (14)</b> 10:8;18:25;20:8,17; 21:25;22:7,8;25:9; 33:4;38:20;46:5; 51:17,18;106:16 <b>day's (1)</b> 117:3 <b>DC (1)</b> 5:12 <b>dead (1)</b> 27:6 <b>deal (11)</b> 8:7;9:21;10:3,21; 13:18;22:17;28:18; 30:3,9;31:24;41:15 <b>dealing (3)</b> 10:24;15:13;59:23 <b>Dear (3)</b> 46:16;50:12;51:1 <b>debate (1)</b> 91:9 <b>decent (1)</b> 67:25 <b>decide (2)</b> 16:15;136:15 <b>decided (5)</b> 38:8;72:15;128:24; 146:7;153:5 <b>decision (13)</b> 17:24,25;18:2,3,22; 38:6;39:13;59:8; 99:11;109:16;152:12, 15;153:2 <b>decisions (1)</b> 40:2 <b>defer (1)</b> 40:10 <b>definitely (1)</b> 9:16 <b>Delaware (1)</b> 33:25 <b>delay (1)</b> 35:10 <b>democracy (1)</b> 13:22 <b>demote (2)</b> 55:16,23 <b>Denasia (3)</b> 147:6,7,9 <b>D-e-n-a-s-i-a (1)</b> 147:8 <b>denials (1)</b> 43:9 <b>denied (2)</b> 27:16;160:11 <b>denying (1)</b> 35:23 <b>departed (1)</b> 39:15 <b>Department (2)</b> 108:18;109:1 <b>depending (1)</b> 21:10	<b>deployed (1)</b> 33:8 <b>Des (3)</b> 129:12,14;130:9 <b>describe (4)</b> 61:23;62:6;79:7; 100:25 <b>describes (1)</b> 101:1 <b>describing (1)</b> 40:2 <b>description (2)</b> 6:24;136:12 <b>desk (1)</b> 31:17 <b>desperation (1)</b> 38:11 <b>despite (2)</b> 34:11;38:11 <b>details (1)</b> 99:5 <b>deter (1)</b> 33:8 <b>determination (1)</b> 164:3 <b>determinations (3)</b> 18:23;19:1,3 <b>detracts (1)</b> 165:1 <b>dialogue (2)</b> 104:21;148:10 <b>different (16)</b> 33:19;43:24;59:25; 68:12;102:6;129:8; 130:3;149:3;155:21, 24;159:15;161:6; 162:23,24;165:19; 166:22 <b>difficult (4)</b> 11:8;31:14;135:20; 165:13 <b>diligent (1)</b> 11:12 <b>dire (9)</b> 50:23;92:20;97:6,9; 98:4,21;109:12; 125:3;131:15 <b>DIRECT (5)</b> 44:20;115:10; 134:8;141:5;151:18 <b>directly (1)</b> 144:9 <b>disagree (2)</b> 141:20;164:15 <b>disagreed (1)</b> 164:10 <b>disagreeing (1)</b> 152:23 <b>disappointed (2)</b> 104:3;143:6 <b>discharged (1)</b> 36:19 <b>discharges (1)</b>	36:17 <b>disciplinary (7)</b> 35:13;36:5;62:11, 13,16,19;130:14 <b>discipline (8)</b> 80:20;86:17;102:7, 8;132:18;136:6,20; 145:6 <b>disciplined (13)</b> 34:18;38:21;71:2,5; 82:15;86:14;132:15; 146:24;155:1,7; 159:12,13;164:22 <b>disciplines (6)</b> 27:13;35:25;36:24; 38:18,19;80:23 <b>disciplining (1)</b> 38:15 <b>disconnect (1)</b> 76:6 <b>discovery (5)</b> 9:20;23:15;26:10, 22;29:24 <b>discuss (3)</b> 71:17;81:12;165:16 <b>discussion (5)</b> 11:19;12:18;20:1; 29:10;129:11 <b>discussions (2)</b> 29:23;58:10 <b>dismiss (3)</b> 29:4;32:8,10 <b>Disorbo (2)</b> 140:8;154:25 <b>disparate (3)</b> 38:8;114:17;165:4 <b>disparately (4)</b> 34:12,15,18;35:22 <b>display (1)</b> 84:22 <b>dispute (1)</b> 28:6 <b>disputed (1)</b> 28:1 <b>disregard (1)</b> 39:8 <b>disrespect (1)</b> 37:16 <b>distributing (4)</b> 49:9;64:7;89:4; 107:23 <b>district (9)</b> 19:8;52:15;53:6,7; 55:15;57:6;126:13; 127:13;129:14 <b>Division (1)</b> 5:12 <b>DM (1)</b> 127:6 <b>doc (1)</b> 134:15 <b>document (16)</b> 22:5;26:17;66:7;	67:2;90:10;98:15; 105:21;109:20;121:7, 10;132:3,4;133:22; 134:8;136:3;152:8 <b>documentation (2)</b> 7:5;142:1 <b>documented (3)</b> 62:20;133:8;144:22 <b>documents (14)</b> 7:14;9:1;20:15,16; 21:23,24;24:11;25:2; 26:14;29:19,24; 106:20;108:4;120:19 <b>DOLCE (22)</b> 5:22,22,22;37:22, 24;38:1;109:4;115:6, 8,11,24;116:12,20; 118:16;161:19,21; 162:18;163:17;166:5, 8;167:3,8 <b>D-o-l-c-e (1)</b> 5:23 <b>done (8)</b> 10:18;20:14;21:20; 22:10;24:17;25:1; 139:13,14 <b>door (13)</b> 74:22;78:6,8,16,21; 80:14,16;138:24; 149:25;162:10,20,20, 25 <b>doors (7)</b> 75:18;78:20;80:12, 17;136:10,18;163:8 <b>double (1)</b> 74:14 <b>doubt (2)</b> 37:13;41:14 <b>down (10)</b> 9:15;30:15;31:21; 74:21;88:10;117:7; 120:16;136:10,13; 165:3 <b>dozen (1)</b> 33:18 <b>dozens (4)</b> 24:1;37:3;38:2; 39:10 <b>drafted (2)</b> 13:5;152:8 <b>Draves (1)</b> 36:10 <b>draw (1)</b> 39:20 <b>drawer (14)</b> 67:11,12;72:14,23, 23;73:17,20;76:5; 81:13;138:18;139:20; 140:3,10;159:21 <b>drawers (6)</b> 65:16,20;67:14; 73:1;82:4;137:8 <b>dress (1)</b>	36:2 <b>drive (1)</b> 74:11 <b>drive- (1)</b> 79:8 <b>drive-through (27)</b> 55:20;58:1;74:6,7, 13,16,23;75:5,23; 76:2;77:23;78:22; 79:13;82:4;136:11, 12;137:10,17,24; 138:5,20,24;139:1,6; 140:15;145:11; 146:19 <b>driving (1)</b> 7:21 <b>dropping (1)</b> 114:8 <b>due (2)</b> 59:17;127:17 <b>duly (2)</b> 42:24;122:9 <b>Duplechain (12)</b> 6:7,7,9,11;23:14,19, 21;24:13,18,23;25:1; 120:18 <b>D-u-p-l-e-c-h-a-i-n (2)</b> 6:7,9 <b>duplication (1)</b> 19:9 <b>during (11)</b> 8:2;42:11;77:5; 80:24;88:23;100:3; 103:3,24;109:21; 123:20;150:12 <b>duties (1)</b> 39:9
<b>E</b>				
<b>earlier (10)</b> 16:17;17:3;21:18, 20;28:8;126:20; 136:9;152:11;153:19; 155:9 <b>earliest (1)</b> 22:25 <b>early (3)</b> 35:8;76:12;112:13 <b>easier (5)</b> 19:16,17,18;43:23; 167:7 <b>East (36)</b> 34:1;45:25;46:1; 47:11;51:20;52:3; 54:10;55:10;56:18; 57:9,18;61:12,16,20; 70:3;71:22;81:22; 93:12,21;125:24; 126:2,8,14,18;127:4, 9;128:8;137:12; 138:5,11;139:18; 144:14;158:4;163:24;				

				F
164:2,7	34:3;36:5	<b>espresso (1)</b>	<b>excused (1)</b>	<b>face (1)</b>
<b>easy (4)</b>	<b>employer (2)</b>	149:7	165:15	93:15
42:16;61:25;62:7;	112:20;163:12	<b>essentially (2)</b>	<b>ex-employees (1)</b>	<b>fact (16)</b>
126:1	<b>employer's (1)</b>	22:3;94:12	36:7	21:2;27:24;31:3;
<b>edits (1)</b>	34:11	<b>establish (2)</b>	<b>exhausted (1)</b>	104:20;123:21;
49:4	<b>employment (4)</b>	102:6;110:1	112:16	128:20,23;129:1;
<b>effect (3)</b>	34:25;121:8;	<b>Ethan (1)</b>	<b>Exhibit (40)</b>	130:2;137:1;141:23;
7:19;82:7;105:14	123:20;145:1	6:1	7:10;8:12;9:7,21;	143:14;148:12;
<b>effectively (1)</b>	<b>enacted (1)</b>	<b>ethics (3)</b>	21:5;30:7;49:10;50:1,	152:20,24;155:16
16:5	35:16	53:8,12;104:9	22,25;51:2;64:7;	<b>facts (2)</b>
<b>effort (1)</b>	<b>encompassing (1)</b>	<b>even (13)</b>	65:24;66:10;67:6,9;	16:1,5
41:4	39:10	7:24;22:6,13;38:8;	89:4;90:6,11,16,23,	<b>factual (3)</b>
<b>efforts (2)</b>	<b>encrypted (1)</b>	39:9;41:25,25;61:6;	25:97:5,11;102:15,16,	17:19,25;27:23
18:19;33:6	109:6	76:2;105:6;109:23;	22,24;106:9;109:10;	<b>fail (1)</b>
<b>egregious (2)</b>	<b>end (12)</b>	129:24;139:6	110:15,15;114:24;	139:19
38:6;39:14	10:10,19;51:24;	<b>evening (2)</b>	120:24;122:14;	<b>failed (4)</b>
<b>eight (1)</b>	54:25;60:16;85:9;	8:2;74:8	125:18;131:25;135:7;	36:23,23;136:23;
5:5	86:6;88:6;93:23;	<b>eventually (3)</b>	142:23;151:16	146:18
<b>either (9)</b>	104:12;136:13;148:1	26:6;34:19;40:1	<b>exhibits (15)</b>	<b>failing (2)</b>
9:24;18:13;19:2;	<b>endeavored (1)</b>	<b>Everyone (6)</b>	7:8,9;16:17,18;	132:13;148:18
24:19;38:15;53:13;	25:1	13:16;25:2;31:13;	17:12;19:20;22:16;	<b>Fair (10)</b>
56:8;110:16;150:6	<b>ended (1)</b>	39:21;120:16;164:21	23:8;29:19;30:3,9;	8:9;9:23;17:5;23:9;
<b>election (9)</b>	112:19	<b>everyone's (3)</b>	49:17,22;102:21;	25:13;27:5;30:10;
34:8;35:19;47:17,	<b>ends (1)</b>	5:11;19:17;25:5	109:14	66:18;117:18;143:21
18;50:13;51:5,7,9,16	93:21	<b>evidence (31)</b>	<b>exist (1)</b>	<b>fairly (1)</b>
<b>elections (1)</b>	<b>enforced (4)</b>	15:24;17:23;18:8,	101:6	17:20
38:22	34:13,16;35:23;	13;19:9;29:25;34:4,	<b>existed (1)</b>	<b>fairness (1)</b>
<b>electronic (1)</b>	38:25	13;35:24;36:4,6,22;	28:24	22:13
135:10	<b>enforcing (1)</b>	50:22;65:24;90:7;	<b>expansive (1)</b>	<b>faith (1)</b>
<b>Elmwood (7)</b>	36:2	97:5;98:1;99:19;	38:2	41:4
1:14;33:6,24;34:21;	<b>engage (1)</b>	101:2;109:16,23;	<b>expectation (5)</b>	<b>fall (4)</b>
36:21;38:17;70:2	35:3	114:2,18;121:23;	10:11;13:25;14:11;	45:21;78:14;106:2;
<b>else (26)</b>	<b>engaged (1)</b>	124:24;131:10;134:3;	20:19;21:13	165:3
12:16;31:22;47:23;	146:23	142:16;151:10;153:7,	<b>expectations (1)</b>	<b>Falls (2)</b>
55:15;56:9;63:14;	<b>enough (5)</b>	20	133:23	53:5;139:9
65:4;74:20;77:10;	8:9;9:23;27:5;	<b>evidenced (1)</b>	<b>expected (2)</b>	<b>familiar (3)</b>
81:25;82:10,24;83:9;	30:10;66:18	36:1	21:21;132:4	46:11,13;130:25
85:17,25;93:8;103:8;	<b>ensure (4)</b>	<b>evidentiary (1)</b>	<b>experience (6)</b>	<b>family (2)</b>
114:10;140:16,19;	14:8;97:24;113:3;	113:24	61:22,24;62:5;73:4,	10:24,25
141:1,4;145:14;	139:6	<b>exact (14)</b>	13;149:18	<b>fan (1)</b>
146:21;147:4;165:8	<b>ensuring (1)</b>	15:13,14,14;28:13;	<b>experienced (2)</b>	66:15
<b>email (17)</b>	124:16	64:14;98:6;110:8;	138:14,17	<b>FAQ (1)</b>
6:21;7:14,19,20;	<b>enter (3)</b>	111:24;137:21;	<b>explain (2)</b>	146:10
8:2,8,19,21;9:1,6;	14:7;97:4;106:9	139:21;140:18;	53:22;83:2	<b>FAQs (1)</b>
15:5;17:11;29:18;	<b>entire (8)</b>	147:23;149:13;156:4	<b>explained (1)</b>	152:14
50:1;109:6;167:3,5	17:21,21;32:16;	<b>Exactly (5)</b>	106:25	<b>far (1)</b>
<b>emailed (5)</b>	39:22;74:21;121:25;	27:4;67:24;72:10;	<b>explore (1)</b>	24:2
49:15;91:1;97:19;	122:2,4	78:14;141:23	92:19	<b>far-reaching (1)</b>
102:21;117:9	<b>entirely (3)</b>	<b>examination (10)</b>	<b>exposed (1)</b>	37:12
<b>employed (4)</b>	18:22;51:12;59:25	16:1;44:20;98:24;	88:3	<b>fast (1)</b>
45:22;105:5;	<b>entirety (3)</b>	115:10;120:3;125:19;	<b>extend (2)</b>	72:17
126:10;138:2	16:22;17:10;63:4	132:1;151:18;157:5;	37:10,11	<b>fault (1)</b>
<b>employee (7)</b>	<b>entitled (1)</b>	163:22	<b>extent (4)</b>	139:9
34:10,11;36:11,21;	119:6	<b>examined (1)</b>	37:13;66:4;119:1;	<b>favor (1)</b>
38:21;121:14,15	<b>err (1)</b>	42:24	134:13	51:8
<b>employees (26)</b>	101:19	<b>example (3)</b>	<b>extra (2)</b>	<b>features (1)</b>
32:23;33:15;34:5,7,	<b>error (1)</b>	13:11;19:8;59:21	71:8;99:5	26:8
22:35;2,3,5,9,12,15,	152:8	<b>Excel (1)</b>	<b>extraordinary (2)</b>	<b>February (8)</b>
20,23;36:1,7,16;	<b>e-r-s (1)</b>	115:1	40:4,6	51:24;54:25;58:13,
37:10,11;51:4;74:15;	6:15	<b>Excels (1)</b>	<b>extremely (3)</b>	24;59:5;127:10;
75:9;114:2,7;134:11;	<b>especially (5)</b>	114:8	58:25;71:1;110:1	
163:13;164:24	21:10;37:11;39:3;	<b>exceptions (1)</b>		
<b>employee's (2)</b>	74:19;75:6	18:23		

128:19;131:4 <b>federal (2)</b> 26:9;39:24 <b>feel (9)</b> 22:25;23:1;28:15; 29:6;52:3;66:9,19,22; 118:25 <b>feeling (2)</b> 37:13;112:16 <b>feelings (5)</b> 85:4,20,21;148:4,6 <b>feels (1)</b> 122:11 <b>felt (5)</b> 52:8,10;56:7;65:8; 160:14 <b>few (12)</b> 7:13;20:17;33:4; 56:15;61:21;66:2; 72:25;77:3;83:18; 112:4;113:12;125:1 <b>figure (2)</b> 117:1,2 <b>figured (1)</b> 8:17 <b>file (7)</b> 23:25;24:1;97:20, 23,25;134:9;144:25 <b>filed (6)</b> 29:4;30:5;50:12; 53:8,12;132:7 <b>files (1)</b> 22:3 <b>filing (2)</b> 18:23;132:10 <b>fill (16)</b> 55:21;56:3,4;57:16; 60:15;126:4;127:25; 128:4,9,20,24;129:19, 24;130:4,5;157:7 <b>final (39)</b> 19:1;24:19;43:15; 62:21,22,23,25;63:17; 64:4,12,18;65:3; 70:17;74:3;80:18; 81:11;86:14;130:17; 132:23;136:21,21; 141:19;142:2,11,17; 143:10,16;144:19,21, 23;145:24;146:15; 159:3,5,7,24;164:3, 10,16 <b>find (11)</b> 11:4;40:18,18,20; 41:8,15;59:3,4;60:7; 105:17;134:13 <b>finding (5)</b> 19:14;38:6;39:13; 59:8;60:5 <b>findings (3)</b> 17:18,19,25 <b>fine (35)</b> 9:25;11:9;14:16,21; 16:24;21:3,17;30:10, 13;31:20;40:21;43:1, 2;44:4;48:22;55:8; 66:12,16,20,23;67:7; 68:18;80:10;86:5; 91:19;94:20;106:10, 25;108:2;120:15,15; 153:10;156:24; 167:14,14 <b>finish (1)</b> 10:17 <b>finished (1)</b> 65:12 <b>fire (1)</b> 98:15 <b>fired (6)</b> 59:21;86:18;87:5; 112:4;160:14;164:25 <b>firing (3)</b> 38:13;59:24;99:11 <b>first (37)</b> 5:6;9:11,13;10:7; 21:3;30:15;33:4; 34:12,21;38:17; 40:12;42:6,16,16,17, 24;50:18;57:9;58:13; 74:19,23;76:1;77:24; 78:15;93:11;106:18; 117:3;118:8,16,19; 132:7,11;137:12; 138:4;154:19;158:4; 167:16 <b>fits (1)</b> 68:14 <b>five (4)</b> 10:17;38:19,20; 40:13 <b>fixed (1)</b> 105:20 <b>flashlight (1)</b> 94:10 <b>flip (2)</b> 80:18,19 <b>flipped (1)</b> 74:3 <b>floor (6)</b> 47:9,24;91:24; 124:1,13;156:17 <b>flown (1)</b> 144:12 <b>focus (1)</b> 62:22 <b>focused (4)</b> 17:1;57:22;145:10, 10 <b>folder (1)</b> 102:24 <b>folks (16)</b> 5:14;11:5;13:13,24; 14:1,14;19:25;22:16; 25:8,14;28:19;31:11; 32:3;40:12;75:17; 80:5 <b>follow (1)</b> 139:5 <b>follows (1)</b> 42:25 <b>follow-up (1)</b> 163:19 <b>food (1)</b> 133:5 <b>foot (1)</b> 16:13 <b>forget (1)</b> 135:11 <b>forgot (7)</b> 74:13;75:1,2;77:23; 133:1;137:2,12 <b>forgotten (2)</b> 74:22;136:25 <b>form (11)</b> 55:22;56:4,4;57:17; 60:15;128:5;129:19; 130:5;144:24;146:3, 12 <b>format (13)</b> 6:20,21,23,24,25; 7:4,12,15;8:12;9:9, 25;30:6;120:20 <b>format (3)</b> 22:1;23:24,24 <b>Former (1)</b> 37:7 <b>forum (1)</b> 11:22 <b>forward (3)</b> 41:13,14;158:7 <b>found (5)</b> 37:1,5;67:23; 105:15;111:3 <b>foundation (4)</b> 70:9;92:11,23; 106:8 <b>four (3)</b> 51:8;56:1;163:14 <b>Fourth (3)</b> 20:8;28:12;37:2 <b>freezers (1)</b> 133:6 <b>frequently (4)</b> 73:5,13;89:2;140:3 <b>Friday (1)</b> 22:15 <b>fridges (2)</b> 133:4,5 <b>friend (3)</b> 55:19;143:2,3 <b>friendly (1)</b> 143:4 <b>front (9)</b> 9:25;11:24;31:18; 39:16;80:1,17;83:18; 85:11;108:5 <b>full (5)</b> 24:24;106:21; 123:1;125:11;135:22 <b>fully (4)</b> 20:17;101:21,22; 146:8 <b>fundamental (1)</b> 38:12 <b>funeral (1)</b> 36:15 <b>further (11)</b> 35:9;38:16;92:19; 109:25;113:22; 116:20;148:9;156:21; 157:1;161:16;163:17 <b>futile (1)</b> 61:5 <b>future (5)</b> 22:9;100:15,21; 101:4;113:3 <b>G</b> <b>g-a-i-l (1)</b> 5:20 <b>Galleria (9)</b> 45:24;61:12; 125:21;126:7,14,25; 139:17;158:4;163:24 <b>game (1)</b> 41:12 <b>gamut (1)</b> 37:4 <b>gap (1)</b> 23:3 <b>Garcia (2)</b> 63:6;142:12 <b>Garden (2)</b> 45:8,9 <b>gave (7)</b> 64:3,23;89:2;104:8; 143:22;144:6;152:14 <b>Gaven (3)</b> 68:7,8,22 <b>Gavin (1)</b> 68:24 <b>GC (17)</b> 5:15,19;10:1;40:5; 49:10;50:22,25;64:7; 65:23;89:4;90:6,23, 25;97:4,11;102:22; 109:10 <b>GC-1 (2)</b> 7:2,8 <b>GC-2 (1)</b> 50:14 <b>GC-3 (4)</b> 64:13;65:25;66:9; 67:5 <b>GC-4 (3)</b> 90:15;101:5;102:7 <b>GC-5 (1)</b> 101:25 <b>GC-6 (4)</b> 107:23;108:2,8; 110:14 <b>GC-7 (3)</b> 107:23;108:2,8 <b>GC's (1)</b> 11:10 <b>General (27)</b> 5:17;7:10,15;8:24; 15:11;18:19;20:7; 21:4;23:16;30:5,16; 31:9;42:7,23;50:14; 51:2;64:13;66:2;67:9; 90:16;92:18;97:15; 98:2;103:18;108:8; 110:15;153:19 <b>generally (1)</b> 154:5 <b>Genesee (1)</b> 33:24 <b>gentleman (1)</b> 5:7 <b>gets (2)</b> 163:12;164:21 <b>given (5)</b> 11:9;35:25;146:10; 156:14;165:2 <b>gives (1)</b> 99:14 <b>giving (2)</b> 25:10;139:6 <b>goal (1)</b> 23:7 <b>God (1)</b> 31:10 <b>goes (3)</b> 70:13;100:25; 102:16 <b>good (19)</b> 5:21;6:18;15:2; 30:18;31:6;32:5,20; 41:4;42:20;44:22,23, 24;50:7;57:1;89:19; 102:17;104:10;115:1; 165:12 <b>GOODE (61)</b> 5:16,16;6:21;8:11, 15,21,23;9:16,23; 10:4,7,12,15,20,22; 11:6,13,18,25;12:3, 10,15,17,21;13:1; 15:4,10;16:8;17:14; 18:4,15;19:23;20:3; 21:9,17,19;22:12; 23:11;25:16,18,21,25; 26:4,17;27:7;28:9; 29:13,15;30:20; 40:14,16,22;41:3,5, 14,18,20,23;166:13, 24;167:13 <b>G-o-o-d-e (1)</b> 5:16 <b>gotcha (2)</b> 26:20;106:23 <b>grandmother's (1)</b> 36:15
---



<b>granted (1)</b> 102:17 <b>Graziano (1)</b> 36:8 <b>great (4)</b> 17:17;50:19;87:12; 113:8 <b>Greta (26)</b> 52:15,18;53:6,8,15; 54:20,20,20;55:3,5,9; 56:3,15;57:7,15; 127:13,16,18,21,24; 128:4,16;129:16,18; 130:9;157:9 <b>grievance (1)</b> 59:22 <b>ground (1)</b> 27:9 <b>groundwork (1)</b> 38:16 <b>guarantee (1)</b> 144:25 <b>guess (10)</b> 12:18;15:7;28:3; 29:17;49:21;50:2; 100:18;101:21; 129:10;130:8 <b>guessing (2)</b> 56:1;114:1 <b>guide (15)</b> 120:9;121:5,11,13; 122:1,2,4,4,16,17; 125:11;133:17; 134:15,17;135:3 <b>Gupta (2)</b> 126:9;138:1 <b>Gurskiy (1)</b> 36:8	48:2 <b>hanging (1)</b> 17:3 <b>happen (9)</b> 20:13;73:5,11,14, 22;77:25;78:13;82:7, 19 <b>happened (20)</b> 63:3,16;65:11;72:1, 9,13,15,22,24;73:2,7, 16;75:2;77:13;78:7; 87:21;88:8;119:3; 148:18;153:21 <b>happening (2)</b> 159:25;160:1 <b>happens (2)</b> 148:25;164:25 <b>happy (3)</b> 9:17;16:18;167:6 <b>harassment (1)</b> 52:9 <b>harbored (3)</b> 143:23;144:6,10 <b>hard (2)</b> 67:25;76:2 <b>hard-pressed (1)</b> 69:12 <b>hat (1)</b> 17:3 <b>Haven (1)</b> 63:5 <b>Havens (12)</b> 81:17;93:18;95:25; 98:16;103:21;112:8; 142:12;143:1,9,22; 144:15;148:10 <b>Haven's (1)</b> 147:19 <b>Hayes (5)</b> 5:22;93:9;97:15; 98:2;109:4 <b>head (2)</b> 25:19;26:19 <b>heads (1)</b> 114:13 <b>hear (22)</b> 23:15;33:18;34:2,9, 15,20,24;35:2,7,9,12, 17,19,22;36:14,17; 93:16,17,18,18; 135:14;140:5 <b>heard (9)</b> 61:15,24;96:19; 112:24;130:16; 132:19;140:7;142:25; 159:23 <b>hearing (24)</b> 1:12;5:4;15:25; 26:10;33:18;37:1,2,3, 8;45:1;80:24;86:22; 105:16;106:1,16,22; 107:5;140:3;153:13; 17;154:3;166:18,18;	167:21 <b>hearings (6)</b> 106:5,17;107:12, 19;108:7,15 <b>Hearsay (2)</b> 62:1;140:12 <b>heaviest (1)</b> 40:3 <b>heels (1)</b> 39:13 <b>held (3)</b> 35:19;37:18;132:12 <b>help (5)</b> 31:12,13;39:17; 71:24;79:20 <b>helpful (6)</b> 22:8;109:17,23; 110:1;114:23;115:3 <b>helps (3)</b> 68:18;70:3;99:20 <b>hence (2)</b> 5:12;18:20 <b>here's (4)</b> 16:11,12,21;24:16 <b>hesitate (1)</b> 68:14 <b>hey (5)</b> 14:12;16:21;17:5; 73:20;114:8 <b>hi (1)</b> 95:5 <b>hired (3)</b> 45:14,18,24 <b>historic (1)</b> 38:3 <b>historical (1)</b> 20:6 <b>history (4)</b> 16:14;17:7,7;39:8 <b>hit (4)</b> 30:22;94:11,11,12 <b>hitter (1)</b> 167:12 <b>hold (4)</b> 8:1;45:16;158:25; 165:22 <b>holder (9)</b> 123:15,21,23; 124:2;146:18,25; 156:15,15;160:20 <b>holding (6)</b> 83:19;85:8,9,11,13; 124:9 <b>home (5)</b> 31:16;34:18;54:20; 122:25;156:16 <b>homework (1)</b> 10:1 <b>hone (1)</b> 114:16 <b>Honestly (2)</b> 21:1;125:8 <b>honesty (1)</b>	101:17 <b>Honor (66)</b> 12:22;15:1,6,18,22; 16:3,8;17:15,16; 19:23;23:21;24:18; 26:19;32:22;37:24; 40:15;42:14;43:5,19; 48:12;49:9;58:15,19, 22;60:23;65:23; 70:23;91:7,11,21; 92:14;97:2;98:5,20; 99:12,21;101:2,8,17; 102:19;105:24;106:8; 109:25;113:9,19,22; 114:4,22;116:24; 117:4,23;121:25; 125:1;131:13,23; 135:14;140:23;157:4, 18;158:25;161:17; 165:11;166:13,16,25; 167:13 <b>Honor's (2)</b> 15:7;40:24 <b>hoped (1)</b> 104:8 <b>hoping (2)</b> 19:25;28:3 <b>horse (1)</b> 27:6 <b>host (1)</b> 19:12 <b>hostile (2)</b> 52:8;54:12 <b>hot (1)</b> 149:8 <b>hotel (1)</b> 7:21 <b>hour (3)</b> 56:1;120:13;154:19 <b>hours (9)</b> 21:11;46:3;77:3; 111:24;115:13; 150:11,14;163:13,14 <b>house (4)</b> 63:8,9,11;80:14 <b>housekeeping (3)</b> 49:16,21;66:12 <b>Howard (5)</b> 37:7,14;39:16; 50:12;51:1 <b>How'd (1)</b> 97:18 <b>hub (3)</b> 122:18,20,25 <b>hundred (2)</b> 14:16;43:2 <b>hundreds (2)</b> 33:12;39:11 <b>hurt (5)</b> 85:4,19,21;148:3,6 <b>hurts (1)</b> 68:17 <b>hypothetically (1)</b>	75:23 <hr/> <b>I</b> <hr/> <b>Ian (2)</b> 93:9;97:19 <b>iced (2)</b> 149:8,8 <b>idea (4)</b> 25:21;127:8; 143:19;155:5 <b>identified (11)</b> 7:10;50:14;64:13; 90:16;108:8;121:6; 123:12;131:25; 133:18;142:15; 151:16 <b>identify (4)</b> 14:7,10;42:12; 143:15 <b>ii (1)</b> 43:10 <b>ill (1)</b> 67:22 <b>illegal (2)</b> 39:12;65:8 <b>image (1)</b> 22:3 <b>immediately (1)</b> 116:3 <b>impediment (1)</b> 24:4 <b>implementation (1)</b> 27:25 <b>important (5)</b> 13:21;23:15;30:17; 48:11;99:6 <b>impose (1)</b> 23:5 <b>imposing (1)</b> 40:3 <b>impression (1)</b> 144:6 <b>improper (1)</b> 18:22 <b>in- (1)</b> 118:2 <b>inaccurate (1)</b> 152:4 <b>inactions (1)</b> 136:22 <b>incident (1)</b> 155:22 <b>inclination (2)</b> 9:5,7 <b>inclined (1)</b> 17:13 <b>include (6)</b> 7:17;8:12;9:17,19; 30:6;136:11 <b>included (2)</b> 7:14;8:20 <b>includes (1)</b>
--	---	--	---	--

32:11 <b>including (6)</b> 7:15;13:11;37:5; 77:8;136:6;151:12 <b>inclusive (1)</b> 6:24 <b>inconsistency (2)</b> 141:9;152:17 <b>incorporating (1)</b> 15:21 <b>incorrect (3)</b> 109:20;152:17; 153:14 <b>incredibly (2)</b> 67:25;148:21 <b>index (1)</b> 6:23 <b>indicated (13)</b> 30:25;91:25;92:6; 95:3,8,17,22;96:2,8, 16,22;141:3,5 <b>indicating (2)</b> 28:7;166:21 <b>indication (1)</b> 143:22 <b>indifferent (1)</b> 26:24 <b>indirectly (1)</b> 144:10 <b>individual (4)</b> 22:3,5;26:17; 126:10 <b>individually (1)</b> 57:10 <b>individuals (14)</b> 33:19;36:11;73:17; 85:7;124:5;128:15; 130:14;132:12; 139:12,13;141:6; 150:5;152:7;167:5 <b>influence (1)</b> 34:8 <b>information (6)</b> 24:7,9;98:7;110:3; 122:22;141:12 <b>infraction (1)</b> 139:14 <b>infractions (4)</b> 130:15;143:16,20; 145:7 <b>initial (5)</b> 20:11;46:16;70:14; 141:15;167:1 <b>initially (2)</b> 30:15;77:24 <b>injustices (1)</b> 37:18 <b>inside (2)</b> 76:3;79:18 <b>inspect (1)</b> 97:23 <b>inspection (1)</b> 118:3	<b>Instagram (1)</b> 84:4 <b>instance (4)</b> 112:5,25;140:18; 161:12 <b>instances (1)</b> 72:25 <b>instructed (1)</b> 34:9 <b>instruction (1)</b> 139:7 <b>Insurance (4)</b> 109:8;153:13,17; 154:3 <b>intact (1)</b> 97:24 <b>intend (2)</b> 15:22;20:16 <b>intends (1)</b> 13:14 <b>intent (1)</b> 32:24 <b>intention (1)</b> 13:16 <b>interaction (1)</b> 64:1 <b>interactions (1)</b> 143:23 <b>interchangeable (1)</b> 124:4 <b>interested (1)</b> 71:23 <b>interject (1)</b> 105:10 <b>interlock (1)</b> 79:12 <b>interpreted (1)</b> 58:23 <b>interrogated (1)</b> 38:23 <b>interrupt (2)</b> 25:20;48:10 <b>intervening (1)</b> 21:3 <b>into (38)</b> 6:25;10:3;16:6,25; 17:9,9,21;20:10;24:6; 26:7;29:25;40:23; 50:22;52:7;63:16; 65:24;70:21;72:10; 75:24;76:4;90:6;97:5; 100:1;102:9,16; 109:11,16;117:15; 121:23;124:24; 131:10;134:3;142:16; 151:10;153:7,20; 158:14,15 <b>introduce (1)</b> 57:10 <b>introduced (2)</b> 57:12;153:20 <b>introducing (2)</b> 134:14,16	<b>introduction (2)</b> 67:2;109:13 <b>inventory (1)</b> 124:14 <b>investigations (3)</b> 117:24;118:5,7 <b>investigatory (1)</b> 36:6 <b>involved (2)</b> 46:18,22 <b>involvement (1)</b> 150:19 <b>iPhone (2)</b> 94:4,8 <b>irrelevance (1)</b> 104:22 <b>irrelevant (5)</b> 70:6;104:18; 109:14;159:14; 160:24 <b>i's (3)</b> 43:16,25,25 <b>issuance (3)</b> 142:2;146:3,14 <b>issue (10)</b> 10:25;29:5;52:9; 66:1;81:13;114:8; 132:22;155:16;165:2; 166:20 <b>issued (17)</b> 7:16;28:22;70:17; 120:9;131:4;136:20, 22;141:20;143:9,24; 144:2;145:25;146:12; 152:1;153:2;164:16; 166:17 <b>issues (14)</b> 10:2;32:9;38:5; 52:2,5,19;53:2,11,15; 119:1,2,7;127:18; 156:13 <b>issuing (1)</b> 98:6 <b>iteration (1)</b> 28:8 <b>Ithaca (1)</b> 26:1	139:15,16,19; 140:1,10 <b>Jencks (5)</b> 116:22;117:5,9; 119:2,4 <b>Jerry (1)</b> 6:14 <b>J-e-r-r-y (1)</b> 6:14 <b>job (2)</b> 144:15;160:16 <b>join (4)</b> 75:9;119:16;147:3, 9 <b>joined (1)</b> 46:23 <b>joke (1)</b> 39:22 <b>joking (2)</b> 21:15,15 <b>Josie (33)</b> 63:4,13,17,19; 64:17,23;65:2;68:10; 81:17,21;83:12; 84:10;87:22;88:9,10, 12;93:18;95:25;96:6; 98:14;103:3,13,21,24; 104:3;105:19;112:8; 142:12;143:9;144:12; 147:19;148:3;155:8 <b>Josie's (2)</b> 84:9;144:4 <b>jot (1)</b> 120:16 <b>Jovan (1)</b> 36:9 <b>Judge (551)</b> 1:13;5:3,6,11,18,21, 24;6:3,6,8,10,13,16, 18,21,25;7:2,3,7,11, 13,18,20,23;8:1,6,10, 11,14,16,21,22;9:4, 13,15,18,24;10:4,6, 11,13,16,21,23;11:3, 7,13,14,17,23;12:1,4, 11,16,20,23;13:2,3, 13;14:3,4,9,21,23; 15:2,4,9;16:7,11,12, 21;17:16,17,24;18:9, 11,16,17,20,22,24; 19:4,7,19;20:2,5,6,11, 19,23;21:1,9,14,17, 18;22:11,13,23;12,13, 17,20;24:10,15,21,24; 25:7,8,16,17,19,23, 24;26:3,16,20,25; 27:3,5,7;28:7,9,14,25; 29:6,13,14,15,16,21, 22;30:2,8,11,13,20, 22,23;31:2,5,8,15,20; 32:2,7,13,15,18; 37:20,23,25;39:13; 40:8,11,16,20,22;	41:1,4,6,7,14,15,18, 19,22,23,24;42:4,9, 15,20;43:1,6,10,12, 14,21,23;44:1,4,7,9, 11,14,16,18,19;47:4; 48:2,6,8,10,13,20,24; 49:11,13,16,20,23; 50:4,6,23,25;52:22; 53:21,25;54:4,6,9; 55:5,23;56:21,24; 57:2,21;58:3,6,7,8,14, 17,20;59:2,9,19;60:3, 5,19,22,24;62:2; 65:25;66:1,8,15,17, 19,22,25;67:3,5,10, 16,20;68:17;69:9,11, 14,17,20,22,24;70:5, 8,12,13,20,24;71:3,6, 9,13,20;72:6;73:8; 75:7,9,12,15,17,20, 22;76:9,13,16,18,23; 77:1,5,8,10,14,19,21; 78:19,22;79:1,3,10, 15,17,21,23;80:1,5,8, 10;82:17;83:1,4,6; 84:14;85:19,22; 86:10,22,25;87:5,8, 10,13;88:12,15,17,19, 21;89:6;90:8,12,13, 15,20,23;91:5,8,12, 19,22;92:8,10,16,17, 22;94:2,5,7,12,14,16, 18,20;97:3,7,22;98:3, 8,10,22,25;99:4,13, 16;100:9,16,18,20; 101:5,9,13,22,24; 102:2,5,13,17,20; 103:1,7,20,22;104:5, 17,23;105:10,17,22; 106:10,12,16,19,23, 25;107:8;108:2,16,20, 23;109:12,13,16; 110:3,9,11,16,20,23, 25;113:11,14,21,23; 114:1,6,13,16,20,23; 115:1,7,9,20;116:6,9, 17,21;117:1,6,8,13, 17,19,21;118:4,9,12, 14,21,25;119:5,9,11, 14,18,21,24;120:1,2, 12,14,21,25;121:24; 122:6,9,12,13;123:4; 124:25;125:2,13,16; 129:4;130:23;131:11, 14,24;133:10;134:4,8, 10,16,19,23,25;135:6, 8,10,13,16,24;136:1; 140:24;141:3,5,8,11, 14,17;142:6,16,19,21; 145:9,16,19,22; 146:17;147:2,5,7,9, 13,15,17;150:9,14,17, 24;151:10,13,15;
		<b>J</b>		
		<b>January (1)</b> 46:21 <b>Jardins (3)</b> 129:12,14;130:9 <b>jargon (1)</b> 106:24 <b>Jaz (13)</b> 36:19;69:5,6,10,16; 70:1,2,4,10;71:15; 72:9,10,25 <b>J-a-z (1)</b> 69:10 <b>Jeff (5)</b>		

153:8,9,10,23;154:2, 5,8;156:9,10,21,22, 25;157:2,15;158:2,7, 20,24;159:1,7,10,15; 160:8,25;161:18,20; 162:17;163:11,18,19, 20;164:18;165:7,9,12, 15,18,23,25;166:2,7, 9,12,20;167:1,10,14, 17,19 <b>Judges (1)</b> 5:12 <b>judicial (5)</b> 15:20;16:9;17:16; 18:1;110:12 <b>July (4)</b> 35:8;51:12;59:21, 24 <b>jump (2)</b> 10:3;105:22 <b>jumping (2)</b> 17:9,21 <b>June (40)</b> 45:14,14;86:20; 87:6,15,17;99:23,24; 100:1,11,11,13;102:8; 105:1,5,8,9,12,15,18; 110:4,5;111:4,4,19; 120:6;148:12;151:19, 21,23;152:2,5,21,24; 155:10;160:17;161:4, 10,14;164:20 <b>justifies (1)</b> 142:2	123:25;124:6,10 <b>Kimberly (2)</b> 6:7;23:14 <b>kind (27)</b> 8:19;10:21;19:10; 25:20;27:3,5,58:2; 59:6;72:17;73:22; 75:4;79:3,10;81:24; 84:21;93:11;94:2; 112:18;114:3,10; 124:1,4,14;131:19; 141:15;159:15;164:3 <b>kiosk (4)</b> 45:24;61:12;74:20; 139:17 <b>k-l-i-n (1)</b> 42:19 <b>kneeling (1)</b> 85:10 <b>knew (5)</b> 52:19;53:1,10;78:2; 129:24 <b>knowingly (1)</b> 36:18 <b>knowledge (7)</b> 59:16;78:16;122:1; 126:11;140:16,20; 144:2 <b>knows (1)</b> 52:23	112:1,12,21;113:3,18; 114:3;116:5,7; 148:13;151:23; 152:20,22,24;154:10, 15;155:1,16;156:12, 13,19;160:18,23; 161:4,8,10,13;162:1, 7;163:14;164:20,22, 24 <b>lateness (2)</b> 100:11;165:2 <b>later (13)</b> 20:8,12;33:9;45:18, 24;61:19,21;80:21; 87:24;134:6,14; 147:3;153:12 <b>latest (5)</b> 20:21,22,23;23:1; 24:20 <b>laughable (1)</b> 38:18 <b>Law (7)</b> 1:13;28:17;38:3; 39:9,18,25;40:4 <b>laws (1)</b> 40:7 <b>lawyer (5)</b> 89:16;93:9;97:15; 106:19,20 <b>lay (1)</b> 38:16 <b>laying (2)</b> 70:9;106:8 <b>lead (5)</b> 36:19;48:22;79:21; 103:9;165:12 <b>leaders (2)</b> 38:9;39:1 <b>Leading (7)</b> 47:3;48:18;55:4,6; 68:20;82:16;116:16 <b>learn (1)</b> 80:23 <b>learned (5)</b> 10:24;80:21;107:4, 6;153:12 <b>learning (2)</b> 75:5;138:8 <b>least (3)</b> 9:21;15:12;143:5 <b>leave (18)</b> 66:25;72:13,20,23; 73:17;74:1;78:5,20; 82:6,8,19;119:14; 136:15;137:7;138:17, 20;163:8;165:18 <b>leaves (1)</b> 166:5 <b>leaving (6)</b> 67:11;73:1;137:10, 24;140:15;159:24 <b>led (6)</b> 33:10;65:19;67:13;	68:3;71:1;100:11 <b>left (38)</b> 15:16;29:20;57:7; 60:11,20;65:15,20; 67:11;70:11,21; 73:18,19,20;74:15,21; 75:12,13,17;76:22; 77:12;78:3,8,16,23; 82:3,4;87:11;104:10; 131:7;133:19;138:5, 24;140:1,3,10;151:6; 158:15;159:20 <b>leg (1)</b> 93:14 <b>legal (3)</b> 17:25;27:14;106:24 <b>legally (1)</b> 99:7 <b>legible (1)</b> 134:5 <b>leisure (1)</b> 24:4 <b>lend (1)</b> 110:21 <b>less (2)</b> 31:10;39:7 <b>letter (11)</b> 32:24;39:24;46:16; 48:15;49:2,6;50:12; 51:1;68:22;81:4; 147:12 <b>letting (1)</b> 11:4 <b>levels (1)</b> 34:25 <b>lied (1)</b> 38:24 <b>lift (1)</b> 79:15 <b>light (2)</b> 21:1;40:6 <b>likewise (1)</b> 129:11 <b>limine (1)</b> 15:5 <b>limitation (1)</b> 130:13 <b>limited (1)</b> 60:5 <b>limiting (1)</b> 34:3 <b>line (6)</b> 65:15;74:5;83:24; 98:21;147:10;163:12 <b>lines (3)</b> 85:1;86:5;92:23 <b>list (1)</b> 30:22 <b>listen (1)</b> 117:14 <b>literature (2)</b> 35:18;38:24 <b>litigate (1)</b>	38:1 <b>litigated (1)</b> 19:13 <b>litigating (1)</b> 38:4 <b>litigation (1)</b> 26:9 <b>little (12)</b> 43:16,16,25;44:6,7; 74:12;77:3;79:8; 81:24;91:20;103:9; 141:15 <b>Littler (4)</b> 6:2,5,11,16 <b>live (2)</b> 21:7,15 <b>Liz (2)</b> 53:5,13 <b>load (3)</b> 23:25;24:1,6 <b>loaded (1)</b> 26:6 <b>located (2)</b> 137:20;147:24 <b>location (4)</b> 61:16;63:7;127:19; 129:8 <b>locations (2)</b> 19:10;35:1 <b>lock (13)</b> 74:13;75:17;77:23; 80:12,16;84:9,12,19; 94:9;138:23,24; 139:1;147:20 <b>locked (12)</b> 65:20,21;67:15; 72:24;78:20;80:6; 84:21;136:10,13,18; 139:6;145:11 <b>locks (1)</b> 80:14 <b>lockstep (1)</b> 22:18 <b>logic (3)</b> 24:22,23;150:5 <b>logistically (1)</b> 72:11 <b>logs (1)</b> 73:24 <b>long (6)</b> 16:13;116:22; 117:1,2;149:15,18 <b>longer (2)</b> 10:18;29:10 <b>look (23)</b> 8:2,7,8,18;9:4;10:9; 14:17;22:22;23:4; 25:11;28:20;31:17; 58:12,21;77:15; 117:15;118:4,15,22, 22;119:11;141:10; 160:3 <b>looked (3)</b>
<b>K</b>	<b>L</b>			
<b>Kayla (13)</b> 61:15;75:3;126:9, 19,20,23;127:1,6; 138:1,2;140:8; 154:25;155:11 <b>keep (2)</b> 81:6;118:20 <b>Keitta (15)</b> 48:5,6;52:2,6,12,17, 20;53:2,9,11,14,18; 54:10,19,20 <b>K-e-i-t-t-a (2)</b> 48:7,8 <b>kept (2)</b> 64:23;137:22 <b>Kevin (1)</b> 46:16 <b>key (20)</b> 38:13;76:7;80:16; 123:10,13,15,15,16, 21,23,24;124:2,8; 125:5;146:18,25; 155:11;156:15,15; 160:20 <b>keys (5)</b> 65:21;67:15;	1:2,14;33:12,21,23; 37:4,6;38:3;39:25; 65:20;108:18;109:1 <b>labored (1)</b> 67:14 <b>lack (1)</b> 127:17 <b>language (2)</b> 58:22;59:9 <b>last (16)</b> 5:20;6:14;25:18; 26:22;27:7;28:23; 33:11;38:4;42:17; 45:4;47:11;53:7; 88:16;104:18;117:23; 139:3 <b>lasting (1)</b> 11:10 <b>Lastly (1)</b> 36:22 <b>latch (3)</b> 76:3;79:4,15 <b>latched (2)</b> 78:24;79:1 <b>late (51)</b> 62:24;99:23;100:1, 13,14;101:3,4;102:9, 10;105:1,12;111:4,4, 6,9,13,14,15,19;			

14:23;119:4;122:19 <b>looking (6)</b> 8:20;12:12;19:18; 23:8;65:13;119:9 <b>looks (5)</b> 91:15;131:17,19; 133:16;135:11 <b>loosely (1)</b> 58:23 <b>lose (1)</b> 163:15 <b>loss (1)</b> 35:20 <b>lot (11)</b> 29:10,22,23;43:24; 47:9;52:2;135:1; 148:20;157:15; 164:24;165:3 <b>loud (1)</b> 88:11 <b>lower (1)</b> 34:25	<b>manner (1)</b> 145:2 <b>manual (2)</b> 135:21,22 <b>many (16)</b> 15:14;33:10;38:5,5, 10,20;39:4;46:3; 67:24;80:12;106:5; 114:7,7;119:3,3; 159:21 <b>March (9)</b> 45:10;46:2;51:25; 56:16,23,24;61:10; 78:1;130:2 <b>mark (1)</b> 120:13 <b>marked (10)</b> 6:22;8:13;43:19; 49:9;120:24;121:2; 123:6;133:12;142:8; 151:1 <b>market (3)</b> 132:8,11,11 <b>match (1)</b> 99:18 <b>Matter (9)</b> 1:4,12;12:18;48:21; 70:18;104:21;107:7; 113:20;167:22 <b>matters (2)</b> 48:22;101:10 <b>Mauche (1)</b> 36:9 <b>may (53)</b> 11:10;13:2,11;14:6; 18:16;20:10,12; 23:12;30:23;32:7,14; 40:16,22;62:21,24; 63:21;65:15,19;66:1; 67:23;70:5;81:7,9,11, 12;111:12,15;112:21; 120:11;123:3;130:22; 133:9;136:23;137:7, 24;138:11;139:13,13; 142:5,18;150:23; 154:10,13,15;155:9, 11,21;156:5,12,19; 161:5,8;166:10 <b>maybe (5)</b> 17:3;99:18;101:13; 115:23;165:19 <b>mean (21)</b> 9:5;12:4,6,11,17; 21:21;22:18;23:4; 26:14;40:22;41:11; 53:22;55:24;101:13; 123:23;130:15; 134:11;135:10; 150:15;167:1,4 <b>meaningfully (1)</b> 22:8 <b>means (4)</b> 156:15,16;164:21,	21 <b>meant (3)</b> 83:2;105:15,18 <b>mechanism (1)</b> 76:3 <b>media (1)</b> 13:12 <b>mediated (3)</b> 52:17;54:11,19 <b>medical (1)</b> 10:25 <b>meet (1)</b> 95:10 <b>meeting (10)</b> 36:5;52:7,8;53:13; 64:17;65:3,4;88:23; 101:1;103:3 <b>meetings (4)</b> 35:20;52:15;59:22, 22 <b>Member (1)</b> 87:1 <b>members (1)</b> 13:7 <b>memo (1)</b> 131:4 <b>Mendelson (3)</b> 6:2,5,12 <b>mention (2)</b> 70:25;146:13 <b>mentioned (15)</b> 13:24;42:11;51:14; 53:17;56:3;57:24; 63:21;64:3;73:3;75:1; 78:2;107:3;138:4,23; 164:2 <b>mere (2)</b> 33:5;39:18 <b>message (1)</b> 38:16 <b>met (6)</b> 30:24;33:7;55:18; 63:13;95:24;103:13 <b>metadata (2)</b> 23:25;97:24 <b>method (2)</b> 27:1;51:4 <b>Michael (2)</b> 5:22;36:8 <b>M-i-c-h-a-e-l (1)</b> 5:22 <b>Mid (2)</b> 46:10;51:24 <b>middle (4)</b> 10:16;51:25;56:23, 24 <b>midweek (1)</b> 25:6 <b>might (16)</b> 15:21;16:15,19; 17:2,7;19:7;22:10; 24:5;25:10;28:15,19; 59:3,4;60:7;107:8;	165:19 <b>miles (1)</b> 33:5 <b>mind (3)</b> 19:16;53:21;120:22 <b>mindset (1)</b> 82:24 <b>mine (2)</b> 18:11;151:8 <b>minimum (1)</b> 144:25 <b>minute (7)</b> 26:22;86:25;87:24; 90:20;96:4;104:14; 116:24 <b>minutes (27)</b> 7:13,22;10:18; 40:13;41:24;96:15, 18;105:1;111:7,14; 148:13;149:17,20,21, 21,25;150:3;151:23; 152:21;154:16;161:9, 11,22,24;162:1,1,7 <b>misconduct (2)</b> 38:7;142:2 <b>misheard (1)</b> 54:3 <b>missing (3)</b> 30:14;101:13,15 <b>mistaken (1)</b> 70:20 <b>modifications (1)</b> 97:25 <b>modified (1)</b> 97:12 <b>moment (7)</b> 21:10;31:24;58:7; 86:23;113:9;156:9; 158:25 <b>Monday (3)</b> 1:15;21:21;25:11 <b>monies (1)</b> 145:11 <b>month (2)</b> 45:10;73:15 <b>months (1)</b> 119:3 <b>Moore (4)</b> 61:16;75:4;126:9; 138:1 <b>morals (1)</b> 104:9 <b>more (29)</b> 6:8;8:7;11:11;14:3, 21;15:13;25:9;26:12; 33:2;34:16,24;36:1; 38:2,8;43:1;44:4; 59:10;67:7,12;76:23; 77:14;78:19;91:23; 92:22;106:19;108:16; 113:12;116:13; 153:23 <b>morning (18)</b>	6:22;20:16,21,22, 23;21:7;22:9,24; 24:20;67:22;69:7; 115:18;116:3;140:2; 162:2,5,13;163:7 <b>most (4)</b> 40:2,3,3;134:5 <b>motion (6)</b> 15:5;18:20;29:4; 32:8,10;58:9 <b>motions (3)</b> 7:16;9:2;10:2 <b>move (16)</b> 17:15;50:22;58:9, 15;61:18;65:23; 68:16;109:10;121:23; 124:24;131:10;134:3; 142:16;151:10;153:7; 158:7 <b>moved (2)</b> 38:22;90:6 <b>moving (1)</b> 61:15 <b>much (5)</b> 26:12;36:24;41:25; 91:19;167:16 <b>multiple (2)</b> 40:2;58:25 <b>must (1)</b> 134:11 <b>myself (3)</b> 55:16;57:12;83:23
<b>M</b>				<b>N</b>
<b>machines (1)</b> 149:7 <b>mail-in (1)</b> 51:6 <b>Main (2)</b> 63:7,23 <b>maintain (1)</b> 124:6 <b>maintained (2)</b> 134:9;144:24 <b>making (5)</b> 12:5;17:19;19:3; 22:21;99:10 <b>manage (1)</b> 144:16 <b>management (13)</b> 47:16,17,20;52:19, 23;53:1;68:4;81:13; 83:9;124:11,22; 137:1;153:1 <b>manager (50)</b> 19:8;47:22;48:3; 52:2,16;53:5,6,7; 57:6;61:15;63:5,7,20, 23;67:7;68:9,10,11, 12;75:3,13;76:19; 84:10;88:9,13,13,20; 93:19;95:6;99:25; 100:2;101:19;103:6; 124:15;126:7,13,16, 25;127:13,13;129:14; 131:21;132:20;137:5, 16,23,23;145:20,20; 164:4 <b>managers (2)</b> 73:25;103:17 <b>manager's (2)</b> 48:3;68:13				<b>name (16)</b> 5:20;6:14;42:17; 48:4;49:4,5;50:15; 53:7;57:2;69:9;88:14, 16;139:2,3,15;147:6 <b>named (3)</b> 69:16;93:12;143:16 <b>NATIONAL (4)</b> 1:2,14;37:6;38:14 <b>nation's (1)</b> 40:7 <b>native (2)</b> 22:1;23:23 <b>nearly (3)</b> 25:22;72:24;138:12 <b>necessarily (4)</b> 8:6;117:25;124:6; 160:3 <b>necessary (3)</b> 16:15;17:18;130:4 <b>necessity (1)</b> 14:9 <b>need (21)</b> 12:21;16:18;19:21; 25:2,3,5;27:9;43:4; 66:9,20;71:7,7;92:11; 102:22;104:5,14,17; 128:9;136:12;166:16;

167:2 <b>needed (4)</b> 55:20;71:24; 106:21;136:10 <b>needs (2)</b> 7:5;55:18 <b>nefarious (1)</b> 37:15 <b>negative (2)</b> 28:5;130:10 <b>New (14)</b> 1:15;14:1;18:11; 19:12;20;28:22; 33:16;35:13;37:11; 38:10;108:19;110:13; 113:6;164:7 <b>newly (1)</b> 133:1 <b>news (1)</b> 84:4 <b>next (14)</b> 19:23;20:17;21:21; 30:22;37:3;40:23; 72:17;81:5,7;115:18; 116:3;120:15,15; 148:2 <b>NextGen (1)</b> 102:23 <b>Niagara (1)</b> 53:5 <b>Nice (1)</b> 95:10 <b>night (5)</b> 67:21;115:17; 116:4;133:2;149:9 <b>nine (1)</b> 33:19 <b>NLRA (1)</b> 37:17 <b>NLRB (2)</b> 37:1;45:1 <b>Nobody (2)</b> 77:11;136:19 <b>none (1)</b> 58:16 <b>non-Union (1)</b> 33:15 <b>non-witnesses (1)</b> 14:15 <b>non-work (1)</b> 35:18 <b>noon (5)</b> 72:7;76:11,24;77:5, 19 <b>nor (1)</b> 105:5 <b>normally (1)</b> 26:8 <b>north (1)</b> 33:5 <b>note (13)</b> 7:3;8:10,11;18:21; 21:9;73:18;90:8;	125:13;135:8,23; 140:1;164:19;166:24 <b>Noted (4)</b> 5:2;122:9;151:18; 152:8 <b>notes (2)</b> 74:1;77:15 <b>notice (37)</b> 1:13;15:20;16:9; 17:16;18:1;27:12,24; 28:18;29:9;35:14; 36:23;88:10;89:2,17, 19,22;93:24;96:12; 99:4,22,22;100:21; 103:14,18,20;104:20, 25;110:13;143:5; 151:5,11;152:1,4,18; 153:3,14;160:2 <b>noticed (1)</b> 112:12 <b>notify (1)</b> 77:16 <b>notwithstanding (1)</b> 128:23 <b>nowhere (2)</b> 57:18;60:13 <b>nullity (2)</b> 28:23,23 <b>Number (9)</b> 19:10;65:10;67:25; 90:23;97:12;133:22; 145:1;146:11;167:12 <b>numbers (1)</b> 5:5 <b>numerous (2)</b> 33:8;35:25	156:22;157:13;158:6, 17;159:6,14;160:7, 24;162:15;163:10; 164:17,18 <b>objections (3)</b> 20:10;92:20;135:15 <b>objects (1)</b> 118:1 <b>obligation (3)</b> 12:24;14:13;16:14 <b>observe (1)</b> 77:6 <b>observed (1)</b> 137:24 <b>obtain (2)</b> 108:17,25 <b>obvious (1)</b> 40:6 <b>obviously (5)</b> 9:10;16:20;18:18; 92:20;99:6 <b>occur (3)</b> 76:13,16;145:2 <b>occurred (5)</b> 70:15;119:1,2; 128:12;139:22 <b>occurs (1)</b> 22:9 <b>off (27)</b> 5:6;15:16;18:7; 23:17;31:23,25;32:3, 5;40:12;42:2,3;60:11, 20;86:22,24,25; 87:11;88:5;90:20,22; 92:3;117:22;119:22, 23;131:4;165:24; 167:19 <b>offenses (1)</b> 38:18 <b>offer (7)</b> 6:25;7:6;16:18; 29:25;66:9;67:6;91:8 <b>offered (3)</b> 16:17;55:16,23 <b>offering (4)</b> 91:2,3;110:4,6 <b>office (2)</b> 5:13;39:22 <b>officially (2)</b> 33:3;61:19 <b>old (3)</b> 19:20;39:1;75:3 <b>Olive (2)</b> 45:8,9 <b>once (16)</b> 14:11;16:12;17:20; 25:4,11;26:6;29:7; 30:9;37:1;51:24; 115:23;117:1;136:25; 148:25;149:16; 164:22 <b>One (61)</b> 6:8;10:4,5,7,23;	14:3,18;17:3,8;25:19; 29:16;33:20;36:19; 38:19;39:7,20;43:11; 48:2;49:3;50:18; 54:25;59:10;61:17; 66:20;67:12;73:7,15; 74:22;75:1;76:23; 77:14;78:19;85:5,10; 91:23;93:15;94:9,10; 106:18,19,21;112:25; 115:4,6;116:24; 117:23;120:15,15; 121:9;124:9;130:21; 132:20;133:2;135:1; 138:20;144:12;148:7; 156:9;157:20;158:25; 165:21 <b>one-on-one (2)</b> 35:19;52:7 <b>onerous (1)</b> 34:25 <b>ones (4)</b> 28:10,10;53:13; 124:6 <b>one's (2)</b> 66:23;77:3 <b>ongoing (1)</b> 90:9 <b>only (24)</b> 39:20;40:1;55:20; 58:1;60:5;80:20; 89:24;90:10;91:3; 93:14;115:21;123:1, 16;125:6;128:16; 145:12;146:18,25; 152:4;153:22;154:21; 165:16;166:13,14 <b>on-one (1)</b> 52:8 <b>onto (2)</b> 88:8;102:23 <b>open (26)</b> 13:21;25:10;46:6; 61:16;76:2,7;78:23; 79:5,6,13;81:8;94:10; 115:18;116:2;123:16, 24,25;124:6;148:15, 25;149:16,24;155:11; 158:22;162:4;163:8 <b>opened (15)</b> 137:12;145:14; 146:21;148:21,23; 154:18,20;162:10,20, 20,25;163:7;166:15, 18,18 <b>opening (12)</b> 8:21;10:3;14:19; 32:20;72:18;79:2; 81:5;111:18,22,23; 113:6;154:17 <b>openings (1)</b> 30:19 <b>openly (1)</b>	39:4 <b>opens (2)</b> 161:24;163:13 <b>operate (2)</b> 55:21;68:1 <b>operating (3)</b> 55:18,19;58:1 <b>operation (2)</b> 127:17,18 <b>operational (2)</b> 155:21;156:13 <b>operations (1)</b> 155:17 <b>opinion (6)</b> 53:18,24,25;54:6, 12;76:1 <b>opportunity (2)</b> 27:12;90:10 <b>opposed (1)</b> 24:25 <b>opted (1)</b> 81:6 <b>order (19)</b> 5:4;8:13;11:16,18, 21;12:7,13,20,25; 13:5,8;14:13;20:4; 40:18,24;126:4; 128:5;129:25;145:2 <b>ordered (1)</b> 38:25 <b>orders (4)</b> 7:16;9:3;21:19; 124:14 <b>organize (2)</b> 39:23;70:3 <b>organizers (1)</b> 36:20 <b>organizing (4)</b> 38:13,15;46:23,24 <b>original (1)</b> 100:22 <b>others (2)</b> 38:15;140:13 <b>otherwise (1)</b> 19:13 <b>ourselves (1)</b> 57:10 <b>out (65)</b> 8:5,18;21:7;22:16; 32:4;48:11;55:10,21; 56:3,4;57:17;60:15; 66:14;68:10,13,23; 70:19;71:23;72:11, 19;73:1;75:16;76:6; 77:3,18;82:5,12; 83:15,23;84:18,24; 88:6,8,11;93:22,23; 95:1;105:15,17; 109:21;110:22;111:3; 113:7;117:1,2; 123:18;126:4;127:25; 128:4,10,20,24; 129:19,24;130:4,5;
---	--	--	--	--

133:16;136:15; 145:15,15;146:21,22; 149:8;157:7;159:24 <b>outlet (1)</b> 84:4 <b>outlined (1)</b> 102:6 <b>outset (1)</b> 10:22 <b>outside (4)</b> 76:16;79:19;85:15; 87:2 <b>outspoken (1)</b> 34:16 <b>oven (1)</b> 149:7 <b>over (26)</b> 7:21;17:6;20:10,15; 27:12;28:17;31:3; 33:9;36:24;38:19; 57:6,10;61:17,19; 74:4,11,19;80:18,19; 82:12;91:23;94:19; 112:25;118:2;139:17; 165:19 <b>overnight (14)</b> 72:15,24;73:19,21; 74:6;137:11,17,25; 138:6,21;140:4,12,16; 159:21 <b>overrule (1)</b> 68:17 <b>Overruled (6)</b> 47:4;48:20;71:20; 72:6;82:17;129:4 <b>oversight (1)</b> 9:16 <b>oversleep (1)</b> 113:16 <b>overslept (4)</b> 111:16,20;113:2,16 <b>overworked (1)</b> 112:16 <b>owe (2)</b> 29:17,18 <b>own (1)</b> 19:3 <b>ownership (1)</b> 17:6	<b>paper (3)</b> 8:3;16:13;49:17 <b>papers (12)</b> 6:20,21,24,25;7:4; 12,15;8:12;9:9;10:1; 30:6;120:20 <b>paperwork (10)</b> 126:4;127:25; 128:10,15,21,24; 129:7,25;130:4;157:8 <b>paragraph (1)</b> 44:2 <b>paragraphs (5)</b> 27:10,19;42:12; 43:7;58:12 <b>parallels (1)</b> 66:10 <b>Pardon (1)</b> 49:24 <b>parking (1)</b> 148:20 <b>parse (1)</b> 19:25 <b>part (15)</b> 7:5,14;9:16,19; 15:23;19:5;32:4,15; 59:4;61:20;93:14; 101:7;104:18;120:20; 136:11 <b>participate (1)</b> 13:20 <b>particular (8)</b> 29:5;110:18,20; 143:16;148:15,24; 149:12,19 <b>parties (3)</b> 6:22;9:2;162:16 <b>partner (27)</b> 36:14;120:9;121:5, 11,13;122:1,2,3,4,16, 16,18,20,24,24; 125:11;132:19; 133:17;134:15,16; 135:3,21;136:5; 144:18,24;146:13; 151:6 <b>partners (12)</b> 61:25;85:6,12; 122:17,21;130:16; 133:23;148:8;149:24; 155:17;162:13;163:1 <b>parts (2)</b> 26:5;123:1 <b>Party (5)</b> 1:9;5:23;14:18; 37:21;115:4 <b>pass (1)</b> 88:3 <b>past (3)</b> 35:8;136:23;148:24 <b>patio (10)</b> 78:6,8;80:16;87:24; 88:6,8;93:22,23;95:1;	98:18 <b>pattern (3)</b> 139:23,25;159:25 <b>pause (2)</b> 92:8;94:22 <b>PDFs (1)</b> 49:17 <b>pending (3)</b> 29:4;32:8,10 <b>Penfield (2)</b> 34:1;35:18 <b>people (14)</b> 13:19,20;53:10; 71:4;72:13,25;73:3; 78:2;85:12;124:13; 143:11,14,19;144:12 <b>people's (1)</b> 114:9 <b>perceive (1)</b> 165:2 <b>percent (6)</b> 14:16;24:14,15,17, 24;43:2 <b>percentage (1)</b> 24:11 <b>Perfect (7)</b> 42:4,9;43:21;44:9, 16;45:7;56:25 <b>period (2)</b> 31:11;115:14 <b>periods (3)</b> 31:15,22;77:6 <b>permanently (1)</b> 144:24 <b>permit (2)</b> 71:9;166:21 <b>person (7)</b> 5:12;40:20;70:3; 93:11;99:16;139:1; 143:15 <b>personnel (1)</b> 134:9 <b>perspective (7)</b> 15:11;19:12;24:10; 28:16,21;29:7;165:5 <b>perspectively (1)</b> 102:8 <b>pertinent (2)</b> 71:1;118:10 <b>petition (5)</b> 47:14;132:7,10,11; 166:22 <b>petitioned (4)</b> 47:16,18,21,25 <b>petitions (1)</b> 8:25 <b>petty (1)</b> 38:18 <b>ph (2)</b> 129:12;139:4 <b>phone (20)</b> 65:10;71:18;84:9, 21;87:1,2;89:12;93:2;	94:2,3,24;97:20,25; 117:10;119:20; 146:11;147:19,20,25; 164:4 <b>phone/video (1)</b> 91:1 <b>phones (1)</b> 13:9 <b>photo (7)</b> 83:17;84:1,6,21; 85:7;86:11;147:20 <b>photos (2)</b> 83:14,18 <b>physically (5)</b> 67:22;74:2;76:5; 80:16;149:16 <b>pick (2)</b> 31:11;32:4 <b>picked (2)</b> 115:21,22 <b>picket (2)</b> 83:24;147:9 <b>picketing (4)</b> 76:13,14,24;77:1 <b>picking (1)</b> 93:12 <b>picks (1)</b> 15:16 <b>picture (3)</b> 64:15,16;147:24 <b>piece (5)</b> 26:15;52:24;79:8; 99:18;165:4 <b>piecemeal (2)</b> 24:16,25 <b>pin (5)</b> 34:10,12,13,16; 47:8 <b>pins (1)</b> 38:25 <b>place (12)</b> 33:23,25;54:13,22; 55:11,15,17;57:24; 58:1;106:1;124:14; 128:8 <b>plain (2)</b> 59:9;102:7 <b>plan (1)</b> 41:12 <b>planning (1)</b> 21:12 <b>platform (1)</b> 24:6 <b>play (3)</b> 91:17;95:16;119:15 <b>played (10)</b> 92:1,7;95:4,9,18, 23;96:3,9,17,23 <b>players (2)</b> 15:15;38:5 <b>playing (4)</b> 35:15;87:1;94:15; 117:10	<b>pleading (1)</b> 27:14 <b>pleadings (1)</b> 30:4 <b>please (4)</b> 41:15;104:6,14; 135:8 <b>pleasure (1)</b> 5:11 <b>plural (1)</b> 59:12 <b>pm (11)</b> 1:16;5:2;42:3,3; 46:7;77:5;90:22,22; 119:23,23;167:21 <b>pocket (2)</b> 26:20;94:24 <b>point (30)</b> 5:14;14:3;16:12; 24:12;25:19;29:23; 32:7;48:11;59:7; 70:13;74:22;75:2; 76:18;78:9;82:14; 93:15;94:20,23; 96:10;98:9;102:5; 105:11;110:22; 112:20;114:1;127:1; 134:12;147:10; 164:21;166:16 <b>pointed (2)</b> 84:18,24 <b>pointing (1)</b> 8:18 <b>police (5)</b> 12:21,23;14:2,13; 80:4 <b>policies (2)</b> 121:15;122:10 <b>policy (9)</b> 34:12,13,16;35:13, 23;82:11;128:14; 130:19;136:5 <b>polite (1)</b> 114:20 <b>Poole (1)</b> 53:5 <b>popped (1)</b> 119:7 <b>portion (11)</b> 18:7;91:25;92:6; 95:3,8,17,22;96:2,8, 16,22 <b>position (4)</b> 15:7;28:4;45:16; 100:10 <b>possibility (1)</b> 114:3 <b>possible (6)</b> 59:4;66:13;144:15, 17;145:6;152:7 <b>post (2)</b> 84:1,3 <b>posted (1)</b>
<b>P</b>				
<b>packed (1)</b> 34:2 <b>packet (2)</b> 89:3;146:10 <b>page (3)</b> 22:3;50:15;133:16 <b>pages (4)</b> 20:15;22:5;73:25; 117:4 <b>paid (2)</b> 150:3,6				

84:4 <b>potential (1)</b> 158:18 <b>potentially (4)</b> 11:21;12:6;15:13; 22:9 <b>practical (1)</b> 163:15 <b>practice (5)</b> 35:8;37:4;65:20; 67:14;100:8 <b>practices (3)</b> 33:12;21;23 <b>pragmatic (1)</b> 29:8 <b>pre- (1)</b> 27:24 <b>prehearing (1)</b> 30:25 <b>pre-hearing (2)</b> 30:4;42:11 <b>pre-implementation (2)</b> 27:11;32:12 <b>prejudices (1)</b> 59:14 <b>preliminary (1)</b> 10:2 <b>pre-marked (1)</b> 64:7 <b>premise (1)</b> 37:9 <b>prepare (7)</b> 17:11;18:5;20:9; 29:18;72:17;114:10; 149:9 <b>prepared (3)</b> 15:19;18:6;59:15 <b>preparing (1)</b> 23:3 <b>prepping (1)</b> 154:19 <b>present (6)</b> 22:23;27:8;41:9,10; 81:25;108:9 <b>presented (2)</b> 15:25;109:19 <b>presenting (2)</b> 19:22;101:21 <b>presents (1)</b> 21:4 <b>presses (2)</b> 32:19,20 <b>presumably (1)</b> 109:21 <b>pretty (4)</b> 41:24;61:5,25; 98:14 <b>prevent (3)</b> 29:11;79:4;102:11 <b>prevents (1)</b> 79:2 <b>previous (1)</b> 137:7	<b>previously (4)</b> 51:14;74:5,16; 128:9 <b>primary (1)</b> 88:2 <b>printed (1)</b> 18:7 <b>printing (1)</b> 8:5 <b>prior (21)</b> 27:16;28:11;35:18; 69:1;104:19;111:8; 117:24;118:4,7; 126:23;127:1,7; 128:7;132:10;145:1; 155:12,14;156:19,19; 157:16,20 <b>pro- (2)</b> 33:14;35:25 <b>probably (12)</b> 7:22;15:12;24:13; 29:10,11;56:1;77:15; 81:19;84:15;87:23; 165:1,3 <b>problem (4)</b> 16:11;26:19;69:24; 117:21 <b>procedures (1)</b> 121:16 <b>proceed (3)</b> 20:12;94:15;106:21 <b>proceeding (8)</b> 13:10,15,19;14:6; 104:18,22;109:14,24 <b>proceedings (5)</b> 13:21;16:2;25:22, 23;110:14 <b>process (7)</b> 59:17;61:14;126:1; 146:2,7;149:1,15 <b>proclaimed (1)</b> 39:17 <b>produce (4)</b> 20:16;24:9,11,16 <b>produced (12)</b> 20:15;21:23,24,25; 22:1,2;23:24;24:8,12, 13;26:5,8 <b>producing (1)</b> 24:18 <b>production (9)</b> 19:24;21:22;22:6,9; 24:23;26:2,6;27:1; 66:3 <b>productions (2)</b> 23:23,23 <b>prohibit (1)</b> 13:9 <b>prominent (1)</b> 38:14 <b>promoted (3)</b> 45:18,20;133:1 <b>promptly (1)</b>	8:7 <b>pronouns (1)</b> 44:24 <b>properly (2)</b> 136:23;146:19 <b>property (1)</b> 139:10 <b>proposal (1)</b> 25:12 <b>propose (3)</b> 31:15,23;32:1 <b>proposed (1)</b> 97:11 <b>proposing (1)</b> 7:11 <b>prosecute (1)</b> 26:11 <b>protected (1)</b> 37:14 <b>protection (1)</b> 22:18 <b>pro-Union (7)</b> 34:6;35:23;36:16; 37:10;38:24,24;39:4 <b>prove (2)</b> 28:5,19 <b>provide (6)</b> 27:11,24;36:23; 114:2;134:6;135:3 <b>provided (6)</b> 20:1,3;101:2; 118:16,18;166:16 <b>provides (1)</b> 109:23 <b>providing (1)</b> 49:17 <b>provisions (1)</b> 110:18 <b>proximity (1)</b> 51:15 <b>proxy (3)</b> 63:20;68:9,11 <b>pry (1)</b> 76:7 <b>prying (1)</b> 158:22 <b>PTR (1)</b> 9:6 <b>public (6)</b> 11:22;12:5;13:11, 15,19;46:16 <b>publicly (1)</b> 11:19 <b>pull (4)</b> 58:18;76:6;79:14, 14 <b>pulled (2)</b> 52:7;69:18 <b>punch (1)</b> 150:19 <b>punches (1)</b> 150:20 <b>punctuality (3)</b>	36:3;133:17;136:5 <b>punish (1)</b> 39:3 <b>purportedly (1)</b> 140:10 <b>purpose (1)</b> 110:12 <b>purposes (7)</b> 10:8;17:14,23;20:6; 66:13;150:21;163:15 <b>pursuant (1)</b> 1:12 <b>pushback (1)</b> 33:7 <b>put (14)</b> 8:1;9:10;13:15; 16:6;18:11;49:4;61:1; 100:8;101:14;102:23; 109:11;122:11;149:6; 159:23 <b>Q</b> <b>quick (2)</b> 57:11;161:19 <b>quickly (4)</b> 19:25;58:19,22; 74:4 <b>quite (2)</b> 17:1;121:19 <b>quitting (1)</b> 11:3 <b>R</b> <b>R-1 (2)</b> 120:16,16 <b>R-2 (5)</b> 120:21,22;121:6, 24;122:9 <b>R-3 (2)</b> 124:25;125:16 <b>R-4 (2)</b> 131:11,24 <b>R-5 (2)</b> 134:4;135:4 <b>R-6 (2)</b> 142:19,21 <b>R-7 (2)</b> 151:13,15 <b>ramp (1)</b> 38:11 <b>rampant (1)</b> 39:12 <b>range (1)</b> 133:5 <b>rather (3)</b> 11:8;39:24;114:8 <b>rationale (1)</b> 99:5 <b>read (16)</b> 5:6;15:22;16:4; 49:3;63:17;64:3;65:2,	5:88;10;103:13,17, 20;110:18;135:2,20, 21 <b>ready (6)</b> 40:11;42:6;148:22; 149:1,16,20 <b>reaffirms (1)</b> 133:22 <b>real (1)</b> 50:4 <b>realistic (1)</b> 22:24 <b>reality (1)</b> 29:11 <b>realize (2)</b> 41:7;134:25 <b>realizing (1)</b> 23:2 <b>really (23)</b> 12:12;19:11,16; 28:6;29:1,7;40:25; 55:22;57:17,18; 58:18;61:17;86:4; 93:14;99:9,19;101:9; 105:12,18;140:25; 155:16;161:19; 163:12 <b>realm (1)</b> 13:11 <b>reason (3)</b> 101:18;107:5; 136:17 <b>reasonable (3)</b> 22:20,21;25:12 <b>reasonably (4)</b> 21:24;22:6;23:24; 26:14 <b>reasons (2)</b> 109:15;118:2 <b>rebuttal (1)</b> 99:18 <b>recall (6)</b> 21:6;130:12;145:9; 148:11;158:22;161:2 <b>receipt (2)</b> 121:11;152:12 <b>receive (13)</b> 29:9;62:16,19,23; 91:5;107:17;109:5,7; 123:15;144:25;145:6; 153:22;159:9 <b>received (25)</b> 7:10,20;19:24;24:1; 51:2;62:25;64:15,25; 67:9;78:9;80:20; 81:19;90:16;105:21; 110:15;122:14; 125:18;131:25;132:3; 135:7;142:18,23; 151:16;159:4,7 <b>receives (1)</b> 146:13 <b>receiving (1)</b>
--	--	---	--	---

159:4 <b>recently (6)</b> 10:24;26:1;37:8; 39:15;88:3;94:6 <b>recessed (1)</b> 167:22 <b>recognize (12)</b> 49:7;50:9;64:5,9; 89:20;107:20;121:2; 123:6;131:1;133:13; 142:9;151:2 <b>recollection (6)</b> 50:20;64:24;90:4; 103:8;108:13;112:18 <b>reconvene (3)</b> 22:16;167:15,22 <b>record (67)</b> 5:8,8,15;6:19;7:1,5; 8:12;13:7,14,16; 15:10,18,20;16:2,6,9; 17:2,9,15,21;18:16; 19:6;20:1;23:7;24:21; 31:23;32:1;40:13; 42:2,3,5,17;44:2,17; 60:22;62:13;64:1; 66:13;67:4;76:10; 83:12;86:23,24,25; 89:9;90:20,22,25; 92:12,12,13;93:1; 94:11;100:2;109:11; 117:22;119:22,23,24; 125:14;135:17,23; 164:19;166:14,14,24; 167:19 <b>recorded (1)</b> 94:2 <b>recording (38)</b> 13:10,23;89:13,14; 91:1,18,25;92:6;93:3; 10:94;8;95:3,8,17,22; 96:1,2,8,16,22;97:5; 11,14;98:13;99:10; 24:100;7,8,19;101:6; 10,19,25;102:13; 104:19;117:9,11; 119:15 <b>recordings (3)</b> 100:6;101:20; 166:10 <b>Records (3)</b> 73:18,23;137:3 <b>recount (1)</b> 60:23 <b>RECROSS (1)</b> 163:22 <b>red (2)</b> 85:8;94:12 <b>redirect (3)</b> 157:3,5;164:9 <b>reference (3)</b> 15:21;74:4;155:9 <b>referenced (1)</b> 74:5	<b>referring (3)</b> 83:22;129:12; 137:19 <b>refresher (2)</b> 54:23;57:5 <b>refused (1)</b> 35:7 <b>regard (1)</b> 163:16 <b>regarding (2)</b> 11:15;127:7 <b>regardless (1)</b> 166:17 <b>Region (3)</b> 1:14;37:2;166:17 <b>register (15)</b> 65:21;67:15,15; 72:14,21,24;73:19; 75:25;76:5,5;82:3; 124:10;145:10; 158:22;159:21 <b>registers (3)</b> 65:21;123:25;149:6 <b>regular (2)</b> 132:4,24 <b>reiterate (1)</b> 70:5 <b>reject (1)</b> 101:25 <b>rejected (4)</b> 28:2;102:16,23,23 <b>related (3)</b> 15:5;59:5;159:16 <b>relates (2)</b> 12:20;58:11 <b>relating (3)</b> 9:2;119:2;121:16 <b>relation (1)</b> 167:5 <b>RELATIONS (3)</b> 1:2,14;37:6 <b>Relativity (1)</b> 24:6 <b>relevance (11)</b> 59:7;67:19;71:19; 72:5;84:13;99:14; 106:7;107:7;113:17; 115:19;163:10 <b>relevancy (1)</b> 116:7 <b>relevant (14)</b> 16:1;17:8,12;19:21; 58:16,25;59:3;60:7; 99:7,10;102:14; 110:11;116:19;118:1 <b>reliable (2)</b> 19:1,2 <b>relief (1)</b> 60:3 <b>re-litigate (1)</b> 19:14 <b>re-litigating (1)</b> 16:5	<b>relive (1)</b> 16:14 <b>re-lock (1)</b> 163:7 <b>rely (1)</b> 18:22 <b>remaining (3)</b> 24:19,24;54:10 <b>remedied (4)</b> 53:19,21,25;54:6 <b>remedies (2)</b> 40:4,5 <b>remedy (2)</b> 52:11;53:18 <b>remember (22)</b> 67:24;78:14;80:7; 81:10;96:10;106:2; 107:5;111:9,24; 119:4;121:22;125:8; 139:23,24;140:2,18; 145:18;146:16; 147:16;149:13; 162:13;163:1 <b>remove (4)</b> 34:10;35:17;38:25; 76:5 <b>removed (1)</b> 38:24 <b>rep (2)</b> 14:18;29:8 <b>repeat (3)</b> 17:8;71:11;129:5 <b>rephrase (1)</b> 150:16 <b>replace (1)</b> 66:5 <b>report (3)</b> 53:8,12;148:18 <b>Reporter (6)</b> 49:18,22,24;50:2; 102:25;107:13 <b>Reporter's (2)</b> 49:14;102:20 <b>reporting (1)</b> 90:18 <b>re-present (1)</b> 18:14 <b>representation (1)</b> 14:15 <b>representatives (1)</b> 39:2 <b>representing (1)</b> 135:2 <b>request (28)</b> 13:8,17;14:7;32:9; 35:24;55:22;56:4,4; 58:13;59:11,12,13; 61:1;97:22;98:4; 118:2;128:5,8;129:2; 8,19,25;130:3,6; 141:11;154:2,3; 157:11 <b>requested (4)</b>	109:1;113:6;157:8, 8 <b>requesting (2)</b> 98:7;131:3 <b>requests (2)</b> 59:12;157:16 <b>required (4)</b> 15:22;27:15;40:5; 126:4 <b>requirement (1)</b> 136:17 <b>requires (2)</b> 59:17;128:14 <b>resistance (1)</b> 33:7 <b>resolution (1)</b> 52:16 <b>resource (2)</b> 133:17;135:22 <b>resources (1)</b> 135:21 <b>respect (10)</b> 18:13;37:9;40:23; 44:11;90:25;114:17; 136:20,21;141:19; 143:5 <b>respond (4)</b> 23:12;58:15,17; 70:8 <b>Respondent (61)</b> 1:6;5:24;6:5,11,15; 7:8;9:7,21;17:5; 18:14;19:19;21:23; 27:11,18,24;28:14; 29:19;30:2,9;33:7,8, 10,13,22;34:2,5,9,12, 13,15,20,24;35:7,10, 17,19,22,25;36:1,4,6, 13,18,22;37:1,18; 40:9;44:17;66:10; 67:6;90:9,10,11; 98:23;101:3;116:23; 117:11;118:1,16,18; 122:11 <b>Respondent's (1)</b> 121:6 <b>Respondent's (18)</b> 11:11;15:5,14;27:9, 14,22;37:16;110:8; 120:24;122:14; 123:12;125:18; 131:25;133:18;135:7; 142:15,23;151:16 <b>response (9)</b> 15:6;23:16;38:3; 55:13;58:3;85:3;86:3; 144:19;148:9 <b>responsibilities (1)</b> 124:12 <b>responsible (1)</b> 124:20 <b>rest (7)</b> 22:17;24:16;41:10,	17:65;12;93:13; 155:17 <b>restaurant (1)</b> 162:21 <b>rested (1)</b> 22:22 <b>restrictions (1)</b> 62:8 <b>result (7)</b> 51:7;127:18; 132:22;148:18; 155:21;156:13; 160:22 <b>resulted (2)</b> 33:12;38:6 <b>results (1)</b> 51:9 <b>resume (1)</b> 95:7 <b>retaliation (1)</b> 160:14 <b>retry (1)</b> 59:6 <b>return (3)</b> 81:1,3,4 <b>returning (1)</b> 81:12 <b>review (3)</b> 66:3;97:2;122:17 <b>reviewed (1)</b> 142:1 <b>revised (1)</b> 134:19 <b>revoke (2)</b> 9:1;166:22 <b>rewind (2)</b> 95:12,15 <b>rewound (1)</b> 95:15 <b>rid (1)</b> 39:1 <b>ridiculous (1)</b> 41:12 <b>right (100)</b> 5:9,21;6:3,6;9:4,25; 11:5;12:23;13:13; 14:23;15:2;19:4,10, 12;22:4;23:18;24:5; 26:22,24;28:15;29:3, 16;30:8;32:5,11;33:5; 39:23;40:8,11;41:6, 19,22;42:9,20;43:1, 14;44:12,12;50:25; 59:2;62:22;66:8,24; 67:1,8;69:18,24; 70:16;75:24;76:23; 79:3;90:8,15,23;91:5, 10,12;94:5;98:10; 100:20;101:5,5; 108:2;113:23;114:3; 116:21;117:8;119:17; 120:25;121:13; 125:13;128:2;129:21;
---	---	--	--	---



131:17,24;134:10,23; 137:21;138:6;140:18; 141:5;142:21;143:13; 19;145:5;147:13; 148:24;152:5,15,20; 153:10;157:10; 159:10;164:11,15,20, 23;165:9,9;166:2 <b>rights (3)</b> 36:5;37:17;39:8 <b>righty (5)</b> 5:18,24;6:13,18; 123:4 <b>RINGLER (473)</b> 1:13;5:3,7,11,18,21, 24;6:3,6,8,10,13,16, 18;7:2,7,11,18,20,23; 8:1,6,10,14,16,22;9:4, 13,15,18,24;10:6,11, 13,16,21;11:3,7,17, 23;12:1,4,11,16,20, 23;13:3,13;14:4,9,21, 23;15:2,9;16:7,11; 17:17;18:9,17,20,24; 19:4,7;20:2,5,19,23; 21:1,14,18;22:11,13; 23:13,17,20;24:10,15, 21,24;25:7,17,19,24; 26:3,16,20;27:3,5; 28:7,14,25;29:6,14, 16,22;30:2,8,11,13, 22;31:2,5,8,15,20; 32:2,13,15,18;37:20, 23,25;40:8,11,20; 41:1,4,6,15,19,22,24; 42:4,9,15,20;43:1,6, 10,12,14,21,23;44:4, 7,9,11,14,16,19;47:4; 48:2,6,8,10,13,20,24; 49:11,13,16,20,23; 50:4,6,23,25;52:22; 53:21,25;54:4,6,9; 55:5,23;56:21,24; 57:2,21;58:3,6,8,14, 17,20;59:2,19;60:5, 19,22,24;62:2;65:25; 66:8,15,17,19,22,25; 67:3,5,10,16,20; 68:17;69:9,11,14,17, 20,22,24;70:8,12,20, 24;71:3,9,13,20;72:6; 73:8;75:9,12,15,17, 20,22;76:9,13,16,18, 23;77:1,5,8,10,14,19, 21;78:19,22;79:1,3, 10,15,17,21,23;80:1, 5,8,10;82:17;83:1,4,6; 84:14;85:19,22; 86:10,22,25;87:5,8, 10,13;88:12,15,17,19, 21;89:6;90:8,13,15, 20,23;91:5,8,12,19, 22;92:8,10,16,22; 94:2,5,7,12,14,16,18, 20;97:3,7;98:3,8,10, 22,25;99:4,13,16; 100:9,16,18,20;101:5, 9,13,22,24;102:2,5, 13,17,20;103:1,7,20, 22;104:5,23;105:10, 17,22;106:10,12,16, 23,25;107:8;108:2,16, 20,23;109:12;110:3,9, 11,16,20,23,25; 113:11,14,21,23; 114:1,6,13,16,20,23; 115:1,7,9,20;116:9, 17,21;117:1,6,8,13, 17,19,21;118:4,9,12, 14,21;119:5,9,11,14, 18,21,24;120:2,12,14, 21,25;121:24;122:6,9, 13;123:4;124:25; 125:2,13,16;129:4; 130:23;131:11,14,24; 133:10;134:4,10,16, 19,23,25;135:6,8,13, 16,24;136:1;140:24; 141:3,8,14,17;142:6, 19,21;145:9,16,19,22; 147:2,5,7,9,13,15,17; 150:9,14,17,24; 151:13,15;153:8,10; 154:2,5,8;156:10,22, 25;157:2,15;158:2,7, 20,24;159:1,7,10,15; 160:8,25;161:18,20; 162:17;163:11,18,20; 164:18;165:7,9,12,15, 18,23,25;166:2,7,9, 12,20;167:1,10,14,19 <b>Road (2)</b> 34:1,17 <b>ROBERT (3)</b> 1:13;5:6,11 <b>Robinson (36)</b> 34:1;45:25;46:1; 47:12;51:20;52:3; 54:11;55:10;56:18; 57:9,19;61:13,16,20; 70:3;71:22;81:22; 93:13,21;125:24; 126:2,8,14,18;127:4, 10;128:8;137:13; 138:5,11;139:18; 144:14;158:5;163:25; 164:3,7 <b>robust (1)</b> 40:3 <b>Rochester (2)</b> 33:14,20 <b>role (2)</b> 124:19;150:11 <b>rolls (1)</b> 41:6 <b>room (11)</b> 13:6,9;14:20,25; 53:14;55:14,17; 57:16;58:3,5;87:2 <b>Rosas (1)</b> 18:11 <b>Rosas' (5)</b> 17:16,24;18:22; 39:13;109:16 <b>roughly (1)</b> 10:13 <b>routine (1)</b> 74:25 <b>Royer (1)</b> 140:8 <b>Rule (4)</b> 35:14,15;44:16; 166:15 <b>rules (3)</b> 36:2;38:25;39:1 <b>ruling (2)</b> 15:7;104:19 <b>rumor (1)</b> 132:20 <b>running (1)</b> 37:4 <b>rushed (1)</b> 148:22 <b>RX (1)</b> 133:22 <b>RX- (1)</b> 123:6 <b>RX-01 (1)</b> 120:17 <b>RX-2 (3)</b> 121:2,4,23 <b>RX-3 (4)</b> 123:3,9,12;124:24 <b>RX-4 (4)</b> 130:25;131:1,3,10 <b>RX-5 (6)</b> 133:12,13,15,18; 134:3,6 <b>RX-6 (4)</b> 142:8,9,11,15 <b>RX-7 (5)</b> 151:1,2,4,10;153:7 <b>S</b> <b>safe (9)</b> 65:21;67:15; 123:10,13,18;125:5; 133:5;149:6,6 <b>safety (2)</b> 124:16,20 <b>sake (1)</b> 100:8 <b>salting (1)</b> 37:14 <b>Sam (1)</b> 36:8 <b>same (33)</b> 15:13,14,15;16:20, 23;17:12;27:2,3; 28:13;29:3;33:13; 34:6;35:3;38:5,16; 57:15,15;59:4,23; 66:22;79:14;98:6; 109:15;115:13;116:8; 117:14;124:4;134:21, 22;139:14;143:12,14, 20 <b>Sanabria (1)</b> 36:9 <b>sanctions (1)</b> 23:5 <b>sanitizer (1)</b> 149:8 <b>Sariah (1)</b> 36:9 <b>sat (1)</b> 88:9 <b>satisfied (1)</b> 14:24 <b>satisfy (1)</b> 117:14 <b>Saturday (1)</b> 22:15 <b>save (1)</b> 102:23 <b>saw (4)</b> 46:16;125:6; 147:19,24 <b>saying (15)</b> 22:14,24;23:17; 29:7;30:2;67:10;99:8, 17;100:10;101:7; 118:5;140:25;161:1; 163:15;164:20 <b>schedule (1)</b> 163:13 <b>scheduled (13)</b> 10:23;87:15;105:6; 115:22;116:13;147:3, 4,5;148:15;149:17; 154:18;161:22,24 <b>schedules (1)</b> 31:14 <b>scheduling (5)</b> 10:7;30:18,24; 116:18;150:15 <b>Schultz (3)</b> 37:7,14;39:16 <b>Schultz's (1)</b> 37:13 <b>scope (3)</b> 11:18,20;57:22 <b>Scott (1)</b> 167:3 <b>screen (6)</b> 84:9,12,19;94:9,22; 147:20 <b>screensaver (1)</b> 84:22 <b>search (1)</b> 26:18 <b>searchable (2)</b> 23:25;26:7 <b>Sebastian (5)</b> 63:6,13,22;64:18; 142:12 <b>second (20)</b> 17:6;27:16,17; 40:20,24;48:2;50:15; 58:10,12;60:4,7; 65:15;74:5;92:8;96:5; 105:10;106:19; 107:10;108:6;115:6 <b>secondary (2)</b> 79:4;88:2 <b>seconds (6)</b> 95:2,5,15;96:1,15, 18 <b>Section (6)</b> 43:9,16,17,18,19; 144:21 <b>Sections (1)</b> 37:5 <b>secure (4)</b> 40:24;136:24; 139:19;146:19 <b>securing (3)</b> 124:20;137:16; 139:10 <b>security (2)</b> 124:16,20 <b>seeing (1)</b> 101:9 <b>seeking (4)</b> 40:5;60:3;128:15; 130:14 <b>seem (1)</b> 143:1 <b>seems (2)</b> 101:10,11 <b>selectively (1)</b> 35:22 <b>semi (1)</b> 38:12 <b>Senate (2)</b> 37:8;39:17 <b>send (9)</b> 38:15;48:15;49:25; 89:15;93:5,8;97:18; 105:20;109:2 <b>sense (2)</b> 31:25;66:14 <b>sent (12)</b> 7:13;34:18;50:12; 54:20;68:22;89:16; 93:7,9;97:14;98:1; 109:4;154:1 <b>sentiments (1)</b> 37:10 <b>separate (2)</b> 106:16,18 <b>separated (1)</b> 104:21 <b>separately (1)</b>
---

86:10 <b>separation (28)</b> 88:10;89:2,17,19, 22;93:24;96:12;99:4, 22;100:22;103:14,18, 20;104:20,25;109:20; 143:6;145:1;151:5, 11;152:1,5,18;153:3, 13;160:2,4;164:11 <b>September (1)</b> 59:23 <b>sequestration (11)</b> 8:13;11:15,15,20; 12:7,13,20,25;13:5,8; 14:13 <b>serve (1)</b> 5:14 <b>served (5)</b> 8:25;20:7,9;93:24; 160:22 <b>service (3)</b> 166:5,8;167:4 <b>sessions (1)</b> 35:11 <b>set (4)</b> 6:19;90:24;104:19; 145:2 <b>setting (1)</b> 163:8 <b>seven (1)</b> 51:8 <b>several (4)</b> 10:4;21:25;22:7,8 <b>severe (1)</b> 10:25 <b>sexual (1)</b> 52:9 <b>shared (1)</b> 102:21 <b>She/her (1)</b> 44:25 <b>Sheridan (3)</b> 33:24;35:1,12 <b>shift (44)</b> 45:19,20;46:9; 55:15;61:20;63:4; 65:12;72:18;73:25; 88:1;93:12;111:17, 21,23;115:21;124:3,5, 8,9,11,15,19;133:1; 138:4,14,17;139:18; 140:6,7;145:12,12,13, 17;147:2,3;148:13; 149:2,5;150:12; 154:17,21,24;161:22; 163:1 <b>shifts (4)</b> 34:18;73:4;112:13; 115:17 <b>shimmy (1)</b> 76:4 <b>shoes (1)</b> 25:12	<b>shook (2)</b> 25:19;26:18 <b>short (2)</b> 156:17,18 <b>shorter (1)</b> 167:12 <b>shortly (1)</b> 80:25 <b>show (16)</b> 34:4,13;35:24;36:4, 6,22;37:16;41:9; 46:25;76:19;83:25; 100:2;109:19;110:4, 6,7 <b>showed (4)</b> 49:6;64:4;83:24; 107:19 <b>showing (5)</b> 16:13;79:10;114:9; 133:12;142:8 <b>shows (1)</b> 84:21 <b>shut (3)</b> 136:9,13,18 <b>sick (1)</b> 81:5 <b>side (1)</b> 101:19 <b>sign (7)</b> 64:18;85:9,11;88:5; 89:22;92:3;147:12 <b>signature (8)</b> 131:7;133:19,25; 134:5,22;151:7,7,12 <b>signatures (1)</b> 89:24 <b>signed (21)</b> 49:4;64:20,22;66:4, 5,10,14,20;67:6;90:1, 10;96:13;121:7,9,10; 122:3;125:5,7;135:1; 142:12,21 <b>significant (1)</b> 21:20 <b>signing (3)</b> 96:12;134:11;136:3 <b>signs (6)</b> 83:19;85:4,13,16; 148:3,6 <b>silence (1)</b> 87:2 <b>similar (6)</b> 38:5;85:13;125:11; 129:18;133:22; 135:19 <b>simply (7)</b> 15:16,19,20;16:3; 36:15;37:17;44:1 <b>single (4)</b> 58:11;59:16;119:4; 143:15 <b>singular (2)</b> 59:12;72:14	<b>sit (3)</b> 12:13;140:9;152:23 <b>site (2)</b> 123:1;146:25 <b>sitting (7)</b> 14:14;25:12;39:4, 22;88:9;108:4;148:1 <b>situation (6)</b> 30:24;38:19;52:11; 53:18;59:11;65:14 <b>situations (1)</b> 136:4 <b>six (3)</b> 7:22;51:17,18 <b>slammed (1)</b> 72:18 <b>sleeping (1)</b> 132:20 <b>sliding (1)</b> 79:5 <b>slightly (1)</b> 161:5 <b>slower (1)</b> 117:3 <b>slowly (1)</b> 57:2 <b>small (1)</b> 38:23 <b>smidgen (1)</b> 95:14 <b>Snelling (224)</b> 5:19,19;14:18,22; 15:1;30:21;32:22; 40:15;41:21;42:7,14; 43:5,8,11,13,15,22; 44:3,6,8,10,13,15,21; 47:6;48:12,14,19,23; 49:1,9,12,14,19,21, 25;50:3,5,7,8,22;51:3; 52:25;54:2,8,14; 55:12;56:2;57:4; 58:18,21;60:9,10,21, 23,25;62:3,4;65:23; 67:17;68:2,19;69:16, 18,21,23,25;70:9,23, 25;71:4,11,14,25; 72:8;73:10;75:8; 77:22;79:18;80:11; 83:5,7;84:16;85:21, 23,24;86:13;87:4,9, 12,14;88:22;89:4,8; 90:6,17,21;91:4,7,11, 13,15,17,20,23;92:2, 9,14,24,25;94:15,17, 19,21;97:2,4;98:20, 23;99:3,12,15,21; 100:13,17,19,24; 101:8,12,17,23;102:1, 4,12,15,19;103:2,11, 12,23;104:11,24; 105:24,25;106:8,11, 13,15;107:2,11,23,25; 108:3,18,22,24;	109:10,25;110:6,10, 19,22,24;111:1,2; 113:9,12,15,18,22,25; 114:4,12,15,19,21,25; 116:24;117:4,7,16,23; 118:7,10,13,15,18,24; 120:23;121:25;125:1, 4,10,15,17;129:3; 131:12,16,23;135:14, 19,25;140:23;142:20; 150:7;151:14;156:23; 157:4,6,17,19;158:1, 3,10,11,25;159:2,11, 18;160:12;161:3,16; 164:17;165:11; 167:18 <b>S-n-e-l-l-i-n-g (1)</b> 5:20 <b>so-called (1)</b> 58:10 <b>social (1)</b> 13:12 <b>sole (1)</b> 145:17 <b>solely (1)</b> 62:5 <b>solicit (1)</b> 163:25 <b>somebody (13)</b> 11:14;13:14;41:16; 59:21;74:20;75:22, 22;88:4;140:25; 145:14;146:21;147:4; 158:21 <b>somehow (1)</b> 76:7 <b>someone (5)</b> 82:24;95:10; 112:24;158:14,14 <b>Sometime (10)</b> 45:21;51:12;56:15; 62:24;72:7;76:11; 78:1,14;106:2;137:15 <b>sometimes (1)</b> 101:22 <b>somewhere (1)</b> 122:18 <b>soon (2)</b> 50:2;99:23 <b>sorry (28)</b> 6:8;29:21;41:25; 48:5,10;56:25;60:23; 69:13,23;73:21;80:9; 84:23;89:7,18;104:4; 107:25;112:19;115:4; 120:13;125:8;127:13, 17;129:5;137:23; 153:9;158:10;162:19; 167:13 <b>sort (2)</b> 25:6;26:23 <b>sorts (1)</b> 17:19	<b>Sounds (2)</b> 50:7;117:18 <b>speak (15)</b> 13:2;54:12;56:14, 17;63:8;69:1,4,6; 70:4;71:15;83:8; 87:23,24;144:4;155:6 <b>speaking (2)</b> 61:1;75:24 <b>speaks (1)</b> 130:19 <b>specific (2)</b> 137:9;159:22 <b>specifically (12)</b> 8:19;12:1,14,24; 13:18;34:5;54:21; 55:10;58:24;72:12; 85:5;148:7 <b>Specifics (1)</b> 36:15 <b>spectators (3)</b> 13:5;14:5,10 <b>speculate (1)</b> 150:8 <b>speculation (3)</b> 52:21;156:23; 158:17 <b>spell (4)</b> 42:17;69:9,13,17 <b>spoke (9)</b> 55:1,3,5,6;56:21; 60:12;71:17;72:10; 112:7 <b>spoken (2)</b> 112:1,5 <b>spot (1)</b> 101:14 <b>spouse (1)</b> 31:16 <b>spreadsheets (1)</b> 114:9 <b>spring (2)</b> 39:15;137:15 <b>squared (3)</b> 157:2;165:9;167:11 <b>stack (1)</b> 16:12 <b>staffed (2)</b> 156:17,18 <b>staffing (1)</b> 34:25 <b>stance (2)</b> 36:16;110:8 <b>stand (3)</b> 14:19;39:16;42:8 <b>standing (3)</b> 74:11;90:9;148:2 <b>standpoint (2)</b> 14:16;16:25 <b>STARBUCKS (65)</b> 1:5;5:4,10;6:2,11, 15;8:25;17:24;26:1; 32:23,24;33:3,5;
---	---	--	---	--

36:20;37:7,8;38:2,7; 20:39:6,16,17,21,23; 40:1;42:5;45:11,13, 17,23;61:22;62:17; 67:1,6;80:20;81:6; 85:9;88:2;98:18;99:5; 105:5,11,20;106:20; 120:5,8;121:8,14; 122:21;123:20; 126:10;128:14; 130:19;132:4;138:2; 139:10;141:23; 144:12,16;146:2; 152:7,13,15,18;153:1	29:4;31:5,8;32:5,8; 54:12;57:22;58:1; 74:3;97:20;101:6; 126:10;128:24;138:2; 153:5;166:14	52:16	Suite (1) 1:15	150:2,14;155:9; 156:4;157:17,25; 159:23;161:20;164:6	
<b>Starbucks' (1)</b> 133:23	<b>stipulate (1)</b> 18:13	<b>strategy (1)</b> 38:12	<b>summary (2)</b> 8:20;114:10	<b>surprised (1)</b> 9:8	
<b>Starks (3)</b> 147:6,7,8	<b>stipulation (2)</b> 27:23;28:2	<b>streamline (1)</b> 141:15	<b>summer (4)</b> 33:11;38:4;45:4,5	<b>surreptitious (1)</b> 13:22	
<b>start (21)</b> 6:19;7:24;23:17; 25:9;31:14;40:12,13; 45:9;57:8;82:2;88:1; 91:13,23;92:23; 94:19;111:23;112:9; 119:25;149:7,7; 155:14	<b>stop (8)</b> 19:22;32:19,20; 40:1;66:10;73:8;77:1; 88:12	<b>Street (4)</b> 33:25;38:4;63:7,23	<b>sunburned (1)</b> 77:4	<b>surveil (1)</b> 144:14	
<b>started (14)</b> 5:3;32:18;33:2; 37:12;46:24;72:16; 16:74;23;115:13; 120:5,8;125:21,22; 144:13	<b>stopped (6)</b> 23:2;95:2,5;96:1, 15,18	<b>strictly (2)</b> 34:16;36:1	<b>Sunday (1)</b> 22:16	<b>survey (1)</b> 88:1	
<b>starting (2)</b> 37:3;87:5	<b>stops (1)</b> 96:24	<b>strike (36)</b> 34:22;35:4;55:2; 58:9,16;65:20;67:14, 18;68:3,16,22;69:1; 71:23;72:11;73:1; 75:10;76:10,13; 77:17;81:1;82:5,12; 83:14,15,19;85:4; 104:17;136:15; 145:15,16;146:22; 147:12,20;148:3,6; 158:16	<b>Sundays (1)</b> 46:7	<b>suspecting (2)</b> 48:20;122:10	
<b>starts (1)</b> 93:21	<b>store (130)</b> 33:5,20,24;34:4,6,7, 10,17,21,21;35:3,8, 18;36:12,21;38:17; 17:45;22,25;46:1,24; 47:11,14,22;48:3,3, 15;52:2,10;53:6; 54:22;55:11;57:23, 24;61:11,13;63:5,7, 20,23;68:1,12,13,13; 70:2;72:2,3,10,16; 73:11,14;74:15;75:9, 12,12,20;76:4,16,19; 77:6;78:20;79:18,20, 24;80:2,6,13;81:6,7, 22;82:6,9,19;83:18; 85:15;88:20;93:19, 21;95:6,6;111:24; 116:2;123:2,16,17,17, 24;124:8,15,17,20; 126:7,16;127:12; 130:3;132:19,20,21; 137:22;144:16; 145:14,20,20,20; 146:18,21,25;147:15; 148:1,21,25;149:1,11, 15,16,19;150:20; 154:18,19,20;155:17; 156:18;157:21; 158:14;161:24;162:4; 163:7,13;164:3,7	<b>Strikes (1)</b> 35:14	<b>supervised (1)</b> 127:2	<b>sustain (5)</b> 62:2;116:17; 163:11,11;164:18	
<b>statement (10)</b> 12:5;65:14;105:2; 116:23;117:10;119:4; 135:19;144:19,23; 145:5	<b>stores (27)</b> 15:14;19:10,11; 32:25;33:3,9,14,15, 19,23;35:24;36:23, 24;37:12;56:10;61:7; 72:13;73:7;74:21; 114:7;121:18,19; 123:11;136:9,13,24; 148:23	<b>striking (2)</b> 35:3,5	<b>supervisor (21)</b> 45:19,20;55:15; 72:23;77:8,16;81:5; 124:3,19;133:1; 138:5,15,17;139:18; 145:12,17;147:2; 149:2,5;154:21,24	<b>sustained (12)</b> 73:8,8,9;83:1; 85:22;113:21;116:6; 150:9;157:15;158:2, 2;162:17	
<b>statements (7)</b> 10:3;11:21;12:19; 14:19;32:21;117:5; 119:2	<b>story (1)</b> 166:23	<b>stuff (3)</b> 9:6,20;22:14	<b>supervisors (6)</b> 124:5,11,16;140:6, 7;145:13	<b>swap (1)</b> 66:14	
<b>states (3)</b> 99:25;105:1;166:15	<b>strategies (1)</b>	<b>subject (6)</b> 12:18;15:25;18:25; 33:22;35:13;136:6	<b>supplemental (1)</b> 24:19	<b>sway (1)</b> 38:22	
<b>stating (1)</b> 32:24		<b>submit (2)</b> 90:10;144:18	<b>Supplying (1)</b> 24:24	<b>swear (1)</b> 42:15	
<b>stay (2)</b> 10:18;32:9		<b>submitted (2)</b> 129:1,8	<b>support (8)</b> 46:25;83:25; 127:22;130:10; 143:10;144:3,5,8	<b>sweatshirt (1)</b> 85:9	
<b>staying (1)</b> 57:18		<b>subpoena (12)</b> 9:5;19:24;20:9,14, 18;22:2;23:22;29:19; 98:6;166:4,9,20	<b>supporter (1)</b> 34:17	<b>switch (1)</b> 41:25	
<b>stealing (1)</b> 35:5		<b>subpoenaed (1)</b> 114:4	<b>supporters (1)</b> 38:14	<b>switched (1)</b> 42:1	
<b>still (16)</b>		<b>subpoenas (4)</b> 8:24;166:15,18; 167:5	<b>supporting (1)</b> 36:7	<b>sworn (1)</b> 42:24	
		<b>subsequent (3)</b> 59:13,22;155:20	<b>supports (1)</b> 164:22	<b>symptoms (1)</b> 88:2	
		<b>subsequently (1)</b> 71:2	<b>supposed (8)</b> 105:20;146:23; 148:24;149:11,13; 154:20;161:23;162:4	<b>system (7)</b> 26:7,11;79:4,23; 123:13;125:5;162:8	
		<b>subsets (1)</b> 44:7	<b>sure (73)</b> 9:20;12:12;13:3; 14:17;15:9;18:17,24; 19:9;20:7;22:21;23:9, 13;25:5,14;26:21; 28:25;31:6,20;32:4; 40:14,15;49:14; 51:12;53:7;55:25; 59:3,6,24;61:5;62:11; 63:10;74:9,10,17,18; 76:7,10,12,21;80:15; 91:14,22;98:14; 101:15,21;109:22; 110:19;112:6;116:21, 25;119:10;121:20; 122:18;124:10;129:7; 133:4;134:11;135:9; 136:25;137:12,18; 138:7;140:14;142:4;	<b>systematic (1)</b> 39:14	
		<b>substance (1)</b> 164:15		<b>T</b>	
		<b>substantially (1)</b> 109:15		<b>table (1)</b> 39:5	
		<b>suggest (2)</b> 59:10;114:6		<b>tactics (5)</b> 33:8,10,11,14,16	
		<b>suggested (1)</b> 30:8		<b>talk (10)</b> 12:13;13:12;32:3; 47:9;59:15;65:9; 70:10;98:18;99:23; 124:5	
		<b>suggesting (1)</b> 32:2		<b>talked (8)</b> 29:17,24;30:18; 53:14;102:8;158:12, 21,23	
		<b>suggestion (2)</b> 114:20;115:2		<b>talking (9)</b> 11:9;12:1,4;21:21; 46:24;70:14;71:23; 105:13;148:2	
		<b>suggests (1)</b> 150:5		<b>talks (2)</b>	

58:13;59:17 <b>tardiness (2)</b> 112:25;155:20 <b>targeted (1)</b> 35:25 <b>Targeting (2)</b> 38:17;52:10 <b>Tatiayna (1)</b> 36:8 <b>tea (1)</b> 149:8 <b>team (2)</b> 61:20;73:25 <b>technically (1)</b> 117:8 <b>telling (1)</b> 82:10 <b>temperature (2)</b> 73:24;133:5 <b>temps (2)</b> 133:2,3 <b>tendency (1)</b> 13:6 <b>Ten's (1)</b> 40:21 <b>term (3)</b> 59:12;68:18;143:3 <b>terminate (1)</b> 98:16 <b>terminated (18)</b> 34:19;36:6,12,14, 16;45:14;51:14,15; 99:1,17,24;105:7; 111:8;112:21,24; 146:10;161:13; 164:16 <b>terminating (1)</b> 38:9 <b>termination (6)</b> 43:20;100:4,11; 107:5;136:7;146:13 <b>terminations (2)</b> 36:25;38:16 <b>terms (15)</b> 17:25;22:20;23:8; 30:14;31:20,21; 34:25;55:7,24;91:9; 99:9,10,11;103:9; 167:11 <b>testified (36)</b> 12:5;42:25;45:1; 73:7;97:14;103:5; 109:22;115:12; 117:25;119:7;125:21; 126:20;127:9,16; 129:21;130:13;136:9; 143:1,13;147:19; 148:23;152:11; 153:12,16;154:10; 155:8;156:1;157:7, 13,20,25;160:3,17; 161:4;162:15;164:9 <b>testifies (1)</b>	19:8 <b>testify (13)</b> 33:20;42:13;43:7,8, 17;44:1;82:23,24; 100:14;109:17; 118:25;127:24; 158:18 <b>testifying (4)</b> 60:17;71:6;140:12; 167:6 <b>testimony (34)</b> 12:6;13:12;15:16; 18:5,7;25:9;32:9; 34:2,9,15,20,24;35:7, 12,17;36:4,14,22; 58:10;59:13;60:8,22; 70:6;71:9;87:3;99:1; 104:18,23;118:1,10; 141:9;157:15;165:13, 16 <b>texted (3)</b> 68:25;77:18;97:19 <b>Thanks (10)</b> 23:19;43:5;48:12; 80:19;87:12;104:16; 120:1;122:12;163:21; 167:16 <b>that'll (3)</b> 30:13;44:9;134:17 <b>there'd (1)</b> 19:13 <b>therefore (6)</b> 19:5;20:17;27:16; 28:18;59:13;66:4 <b>thinking (1)</b> 21:11 <b>third (11)</b> 8:23;9:8,12,15; 27:18;30:15;37:2; 106:21;107:10;108:6; 153:21 <b>Thompson (3)</b> 139:15,16,19 <b>though (6)</b> 42:1;59:20;77:4; 100:20;101:6;129:24 <b>Thought (14)</b> 10:16;11:7,23;18:9; 20:11;25:4;28:2;31:8; 48:11;80:21;86:1; 100:7;143:7;160:10 <b>thoughts (1)</b> 41:2 <b>thousands (1)</b> 39:11 <b>threatened (3)</b> 34:20,24;35:20 <b>threats (1)</b> 38:22 <b>three (10)</b> 20:9;28:9;35:13; 43:25;106:14,16,16, 18;117:7;153:16	<b>Throughout (3)</b> 33:18;38:9;143:23 <b>Thursday (8)</b> 20:21,21,23;21:7; 22:9,14,24;24:20 <b>tie (1)</b> 60:1 <b>tied (1)</b> 58:24 <b>TIF (1)</b> 23:24 <b>TIFs (1)</b> 24:3 <b>till (10)</b> 10:11;65:16;70:11; 72:23;73:21;137:8; 138:18;139:20; 158:15;159:24 <b>tills (2)</b> 140:2;149:5 <b>timeframe (1)</b> 26:12 <b>timely (1)</b> 132:5 <b>times (5)</b> 59:1;66:2;73:15; 114:9;164:25 <b>Tina (8)</b> 88:14,15;93:18; 95:6,24;103:4,13,25 <b>today (15)</b> 10:11,23;11:1,1; 13:6;22:7;32:19; 33:17;38:1;40:24; 41:16;117:25;118:11; 140:9;152:23 <b>together (1)</b> 60:2 <b>told (29)</b> 17:10;47:22,24; 48:2;55:18,19,21; 60:12;61:17;68:22; 71:21;72:1;77:12; 82:3;104:3,9;127:16, 18,24;128:23;129:20; 138:23;139:1;140:13; 143:6;146:16;148:3; 153:1;163:3 <b>tomorrow (3)</b> 10:13;134:6;167:15 <b>Tonawanda (1)</b> 34:1 <b>took (6)</b> 29:10;33:23;39:16; 70:10;90:18;147:20 <b>top (3)</b> 38:10;131:17; 135:22 <b>total (1)</b> 106:14 <b>totally (1)</b> 72:18 <b>tough (1)</b>	135:2 <b>toward (1)</b> 144:7 <b>town (2)</b> 68:10,13 <b>Tracy (18)</b> 53:7,15;56:13,14, 17,20,22;57:5,6,8; 60:12;61:2;129:11, 12,14,18;130:9;157:9 <b>Tracy's (1)</b> 57:9 <b>transaction (2)</b> 59:5,24 <b>transcribed (1)</b> 153:25 <b>transcript (15)</b> 16:21,22;17:2,22; 18:8;91:6;107:15,17, 19;108:17,25;109:16, 22;110:13;153:22 <b>transcripts (7)</b> 108:6,9,12;109:1,5; 153:20;154:3 <b>transfer (63)</b> 34:4;35:23,24;43:9; 46:1;51:21;52:1; 54:16,18,21;55:10,11, 22;56:9;57:12,14,17, 21;58:10,12,13,25; 59:11,13;60:4,7,15; 61:1,11,14,19;62:13; 126:5,8,21;127:7,7,9, 19,25;128:5,5,8,15, 15,20;129:2,8,19,25; 130:3,6,14,17;157:8, 9,12,23;158:4; 163:25;164:1,2,6 <b>transferred (18)</b> 34:5,6;45:25;61:7, 12,21;74:19,20; 77:24;125:24;126:2, 14;127:4,21;128:9; 139:17;157:20; 163:24 <b>transferring (5)</b> 60:12;61:23;62:6,9; 128:17 <b>Transit (3)</b> 33:25;34:10;68:9 <b>transparent (2)</b> 21:11;40:17 <b>transpired (1)</b> 109:18 <b>treated (1)</b> 35:4 <b>treatment (2)</b> 114:17;165:4 <b>tremendous (1)</b> 33:7 <b>trenches (1)</b> 25:4 <b>trial (8)</b>	11:8;19:12;26:1; 33:11;118:8,13,17,19 <b>tried (4)</b> 53:17;54:15;59:11; 127:9 <b>triggered (1)</b> 80:4 <b>trouble (1)</b> 98:19 <b>true (1)</b> 50:19 <b>truncated (1)</b> 26:12 <b>try (10)</b> 22:23;29:8;32:16; 41:15;51:21;52:1,11; 58:25;61:6;83:1 <b>trying (19)</b> 8:5;10:8;15:6;17:7; 18:10;19:25;22:20, 21;27:21;28:5;32:16; 60:23;66:13;82:8,20, 21;101:14,15;141:6 <b>Tuesday (4)</b> 21:21;25:9;40:23; 167:22 <b>Tuesdays (1)</b> 46:7 <b>turn (4)</b> 14:11;91:20;159:3; 165:19 <b>turned (1)</b> 36:5 <b>Turning (2)</b> 83:14;104:25 <b>turns (1)</b> 21:7 <b>twice (2)</b> 115:23;136:25 <b>Twitter (1)</b> 46:17 <b>two (27)</b> 11:10;20:8;22:17; 25:4,9;31:9,21;32:4; 33:5,18;43:16,25; 46:10;73:15,19; 80:17;89:24;94:9; 104:21;120:18,19; 153:20;154:6;162:23, 24;163:13;167:12 <b>two- (1)</b> 52:7 <b>two-day (1)</b> 11:8 <b>two-week (4)</b> 11:8;31:11,15,22 <b>type (6)</b> 24:1;86:17;89:13; 93:3;124:11;142:2 <b>typical (1)</b> 26:9 <b>typically (11)</b> 9:21;10:9;46:4,5,9;
---	---	--	---	--

71:5;73:18;84:21; 112:13;137:22;140:8 <b>typo (2)</b> 100:3;105:20	<b>unionize (6)</b> 32:25;35:2,9,21; 39:3;51:19 <b>unionized (8)</b> 33:3,4;34:7,21; 35:1;36:23,24;47:12 <b>unionizing (3)</b> 38:23;48:16;51:8 <b>unit (1)</b> 34:3 <b>UNITED (8)</b> 1:8;5:23;13:7,7; 36:20;42:5;46:11,13 <b>unlawful (1)</b> 99:11 <b>unless (3)</b> 76:21;159:24;166:5 <b>unlocked (14)</b> 74:6,7,16,22;78:3,5, 8,16;82:5;83:10; 137:25;138:6,21; 140:15 <b>unlocking (1)</b> 137:10 <b>unrelated (2)</b> 109:14;118:5 <b>unsecured (14)</b> 65:16;70:21,22; 74:6,7;83:9;137:7,11, 25;138:6,18;140:1, 16;158:12 <b>unsigned (3)</b> 66:5,23;134:7 <b>unsure (1)</b> 60:16 <b>untenable (1)</b> 36:18 <b>up (52)</b> 7:24;15:16;29:9; 30:16,17;33:5;38:11, 25;41:9;43:2,3;58:18; 60:16;65:12;67:10; 69:18;76:2,4,19; 77:12;83:19,24; 84:15,21;85:8,9,11; 87:22;88:6;90:24; 91:20;93:12,25;98:9, 14;99:18;114:13; 115:21,22;119:7,16; 131:17;136:6;139:5; 143:12,14,16,20; 146:8;163:8;165:13, 18 <b>Update (1)</b> 23:20 <b>updates (1)</b> 122:22 <b>upgraded (1)</b> 94:6 <b>upon (1)</b> 152:12 <b>upset (1)</b> 99:6	<b>usable (1)</b> 23:24 <b>use (11)</b> 11:12;21:24;22:6, 10;26:14;33:13; 68:14;120:19;123:16; 143:3;165:19 <b>used (6)</b> 33:10;74:21,24; 75:5;115:25;131:21 <b>uses (1)</b> 59:12 <b>using (2)</b> 13:9,10 <b>usually (2)</b> 98:18;149:17 <b>utilize (1)</b> 146:7	89:14;90:18;91:2, 25;92:6;93:4,10,13, 16,20;94:11,22;95:3, 8,17,22;96:2,8,10,16, 22,24;97:20;99:5,9, 21;100:2,23;103:7; 119:15;166:9 <b>video/recording (1)</b> 94:8 <b>view (3)</b> 24:4,7;144:4 <b>viewed (1)</b> 143:1 <b>viewing (1)</b> 24:5 <b>violated (4)</b> 36:4;39:18;136:4,5 <b>violation (4)</b> 12:7;18:10;32:11; 60:7 <b>violations (7)</b> 37:5;38:3,10;39:11; 40:2,6;60:6 <b>virtue (3)</b> 129:7;133:25;136:3 <b>voir (9)</b> 50:23;92:20;97:6,9; 98:3,21;109:12; 125:3;131:15 <b>voluminous (1)</b> 15:19 <b>vomit (1)</b> 67:23 <b>vote (4)</b> 47:14,21,25;51:4 <b>voted (2)</b> 39:3;51:19 <b>voting (1)</b> 34:3	21;70:16;71:1,7; 77:17 <b>W-a-l-t- (1)</b> 6:14 <b>Walters (3)</b> 6:14,14,17 <b>wants (1)</b> 67:6 <b>war (1)</b> 85:10 <b>warn (1)</b> 82:14 <b>warning (38)</b> 43:16;62:21,22,23; 63:1,17;64:4,12,18; 65:3,8;70:17;74:3; 78:10;80:19;81:11; 86:15;132:23,24; 136:21,22;141:19; 142:3,11,17;143:10, 17;144:19,21,23,23; 145:24;146:15;159:3, 5,7,24;164:16 <b>warnings (2)</b> 145:1;164:10 <b>washy (1)</b> 77:3 <b>waste (1)</b> 56:7 <b>watch (1)</b> 68:13 <b>water (3)</b> 29:23;43:2,3 <b>way (25)</b> 9:21,24;15:22; 21:23;22:2;23:10; 26:4,8,11,11,23,24; 27:2,3;40:3;44:5; 55:18;56:7,8;68:18; 97:12;101:1,10; 158:15;165:1		
<b>UB (3)</b> 88:20;93:19;95:6 <b>ULP (2)</b> 75:10;76:9 <b>ultimately (5)</b> 27:23;59:3;134:4; 139:9;146:24 <b>umbrage (1)</b> 99:8 <b>unavailable (1)</b> 46:8 <b>unconditionally (1)</b> 81:4 <b>under (8)</b> 28:17;29:12,23; 37:17;39:9;40:4; 65:14;150:12 <b>underlying (8)</b> 9:5,6,20;29:19,24; 122:10;164:19;165:2 <b>undersigned (1)</b> 19:19 <b>Understood (13)</b> 44:18;67:3,5;75:4; 82:11;119:5;122:6,6; 133:25;136:4;141:14; 145:5;165:6 <b>unemployment (10)</b> 80:24;105:16; 106:1,6;107:12; 108:7;109:8;153:13, 17;154:3 <b>unfair (7)</b> 33:12,21,23;37:4; 59:17;65:19;67:13 <b>unfairly (2)</b> 59:14;70:17 <b>unfolds (1)</b> 26:24 <b>unfortunately (1)</b> 26:21 <b>Union (49)</b> 14:18;29:8;32:25; 33:8,13,15,15;34:8, 10,17;35:10,17,19; 36:1,7;37:12,14;38:3, 9,13,13,17,25;39:1; 46:11,18,25;47:10,14, 21;50:13;51:5,15; 115:16;116:8,14; 127:22;130:11; 143:10,25;144:3,4,7, 8,10,13,14;158:5; 160:15 <b>Unionization (1)</b> 33:6		<b>V</b>	<b>Vague (1)</b> 159:6 <b>variety (1)</b> 7:16 <b>verbal (3)</b> 73:20;157:11,16 <b>verbally (1)</b> 47:22 <b>version (3)</b> 134:19,22;135:10 <b>versions (3)</b> 66:5,5,14 <b>versus (1)</b> 109:20 <b>via (1)</b> 50:1 <b>Vic (50)</b> 36:7;50:9;51:20; 54:23;57:5;58:25; 60:11;61:7;62:5,16; 64:9;67:18;70:1,9; 71:1,12;73:11;74:3; 77:23;79:18;80:12, 19;86:14;89:9,17; 90:18;92:3;93:1; 94:22;96:10,18; 99:23;100:7,13,25; 103:3,13;104:15,25; 108:4,18;110:1; 113:12;115:12; 117:25;125:5;131:17; 157:7;158:12;159:3 <b>Vicky (1)</b> 131:19 <b>Victor (1)</b> 6:23 <b>Victoria (7)</b> 42:7,18,22;44:22, 24;51:4;65:15 <b>V-i-c-t-o-r-i-a (1)</b> 42:18 <b>video (31)</b>	<b>W</b>	<b>wage (2)</b> 55:24,25 <b>waiting (2)</b> 148:20;149:24 <b>Walden (10)</b> 45:24;61:12; 125:21;126:2,7,14,25; 139:17;158:4;163:24 <b>walk (1)</b> 72:11 <b>walked (13)</b> 67:22;70:19;72:19; 75:16;82:5,12;83:23; 86:7;87:22,23;98:14; 145:15;146:22 <b>walking (8)</b> 68:23;71:23;73:1; 77:18;93:25;94:24, 25;137:16 <b>walkout (8)</b> 65:19;67:13;68:3,	<b>ways (1)</b> 26:22 <b>wear (1)</b> 47:8 <b>website (1)</b> 122:21 <b>Wednesday (2)</b> 20:20;40:23 <b>Wednesday's (1)</b> 14:12 <b>week (7)</b> 21:22;22:17;37:3; 40:23;46:3;81:19; 84:15 <b>weekend (1)</b> 21:3 <b>weekly (1)</b> 122:22 <b>weeks (10)</b> 11:10,11;20:9;21:2; 31:9,21;56:15;61:18, 21;112:4

<b>weight (1)</b> 16:10	137:17,24;138:6; 145:11	<b>wonderful (1)</b> 31:10	<b>wrong (2)</b> 26:24;105:12	<b>18th (1)</b> 47:15
<b>Weingarten (2)</b> 32:11;36:5	<b>windows (3)</b> 137:10;138:20; 140:15	<b>wondering (1)</b> 11:19	<b>wrote (5)</b> 9:15;30:15;32:23; 49:3;84:15	<b>1st (1)</b> 59:21
<b>weird (1)</b> 81:24	<b>wishes (1)</b> 166:5	<b>word (2)</b> 68:14;115:25	<b>Y</b>	<b>1VVVV (3)</b> 6:22,23,23
<b>welcome (3)</b> 30:13;141:17; 165:15	<b>withdraw (1)</b> 54:5	<b>work (38)</b> 9:18;22:15,16;45:7, 11,13,22;46:3,5,6,9; 61:14,17;63:3;70:2; 81:1,5,9,12;86:7,8; 87:15,19,21;88:4; 105:1,6;111:9; 115:17;116:4;117:17; 131:20;132:13; 133:23;148:19; 151:19,21;156:14	<b>year (3)</b> 33:2;37:2;138:12	<b>2</b>
<b>weren't (6)</b> 74:10,20,24; 143:13;150:1,3	<b>within (10)</b> 33:9;37:2;43:18; 65:13;91:6;99:21; 108:12,15;133:5; 149:20	<b>worked (6)</b> 45:16;47:8,11; 54:10;63:4;128:18	<b>Yep (9)</b> 18:20;41:3,5;69:16, 23;105:24;119:13; 141:16;147:1	<b>2 (9)</b> 41:25;42:1;49:10; 50:22,25;51:2;96:15; 120:24;122:14
<b>western (3)</b> 33:15;37:11;38:10	<b>without (7)</b> 17:20;24:2;35:14; 41:14;76:2,7;128:9	<b>WORKERS (16)</b> 1:8,5,23;13:6,7; 36:20;37:9,16;38:22, 23,24,25;39:3;42:5; 46:11,13;85:10	<b>York (6)</b> 1:15;33:16;37:12; 38:10;108:19;110:13	<b>2:00 (1)</b> 42:2
<b>Westlake (3)</b> 34:17,19;36:9	<b>witness (154)</b> 10:7,17,23,25;11:4; 12:4;14:12;16:19,23; 21:4,5,6;40:12,19,25; 41:10;42:6,11,18,23; 47:5;48:5,7,9,25; 52:18;54:7,10;55:9, 25;56:23;57:1,24; 58:5;59:11;60:18; 67:7,13,21;69:10,12; 70:14;71:6,21;72:7; 73:6;75:11,14,16,19, 21;76:1,11,15,17,21, 25;77:2,7,9,11,18,20; 78:21,24;79:2,6,12, 16,19,22,25;80:3,7,9; 82:18,23;83:3;84:15; 86:12;87:7;88:4,14, 16,18,20;89:5,7; 92:21;94:4,6,9,13; 97:23;98:6;103:5,21; 104:7;105:15,19; 106:14,18,24;107:10, 24;108:1;109:17,19; 110:17;113:13; 115:21;116:10,22; 117:12;118:25;119:7, 15,20;129:5;141:2,12, 13;145:14,18,21; 147:4,6,8,11,14,16; 154:4,7;157:13,24; 158:9,17,23;159:9,17; 160:10;161:2;162:15; 165:14,17,19,21,24; 166:1,4,10;167:11,12, 16	<b>worker's (3)</b> 38:3;39:8,23	<b>Z</b>	<b>2:02 (1)</b> 42:3
<b>Whalen (4)</b> 6:4,4,9;11,14		<b>working (20)</b> 21:23;34:22;36:18; 45:9;47:1,5;120:52;3; 54:13;61:22;63:1; 74:23;111:17,21; 115:12;120:5,8; 150:1,3,12;154:21	<b>Zunner (2)</b> 88:16,17	<b>2:55 (1)</b> 90:22
<b>W-h-a-l-e-n (1)</b> 6:4		<b>workplace (2)</b> 37:17,18	<b>0</b>	<b>20 (2)</b> 10:17;164:25
<b>What'd (1)</b> 133:7		<b>works (2)</b> 21:22;26:22	<b>0:08:19.3 (1)</b> 9:10	<b>2017 (5)</b> 45:14;62:20;120:6; 132:15,18
<b>what's (11)</b> 13:20;20:1;49:9; 64:7;94:23;121:2; 133:12;139:3;142:8; 148:25;151:1		<b>worried (1)</b> 117:3	<b>03-CA-295810 (3)</b> 1:4;5,6,10	<b>2019 (7)</b> 45:21;62:21;131:4; 132:3,7,16,25
<b>whereabouts (1)</b> 137:21		<b>worst (1)</b> 39:7	<b>1</b>	<b>2021 (14)</b> 32:23;46:2,14; 47:15;61:10;78:1,14; 121:9,10;125:24; 126:14,16;132:12; 137:15
<b>whereby (1)</b> 146:2		<b>worth (2)</b> 25:9;104:9	<b>1 (21)</b> 7:10;8:12;15:10,12, 17;17:24;18:6,10,10, 11;27:1,2;37:5;59:24; 76:11;96:4,4;118:7; 119:1,3,8	<b>2022 (16)</b> 45:5,15;46:21; 51:12,24,25;54:25; 56:16;62:21,24; 87:17;105:1;106:4; 132:16;148:12; 151:19
<b>Whereupon (12)</b> 42:21;91:25;92:6; 95:3,8,17,22;96:2,8, 16,22;167:21		<b>written (46)</b> 31:21;43:15;62:21, 22,23;63:1,17;64:4, 12,18;65:3,8;74:3; 78:10;80:18;81:11; 86:15;132:23,24; 136:21,21;137:3,18; 141:19;142:2,11,17; 143:10,12,14,15,17, 20;144:19,21,22,23; 145:24;146:8,15; 159:3,5,7,24;164:10, 16	<b>1:03 (2)</b> 1:16;5:2	<b>2023 (3)</b> 1:16;45:10;167:22
<b>whimpering (1)</b> 96:19		<b>writing (2)</b> 19:17;120:22	<b>1:49 (1)</b> 42:3	<b>204-page (2)</b> 38:6;39:13
<b>Who'd (1)</b> 140:5		<b>written (46)</b> 31:21;43:15;62:21, 22,23;63:1,17;64:4, 12,18;65:3,8;74:3; 78:10;80:18;81:11; 86:15;132:23,24; 136:21,21;137:3,18; 141:19;142:2,11,17; 143:10,12,14,15,17, 20;144:19,21,22,23; 145:24;146:8,15; 159:3,5,7,24;164:10, 16	<b>10 (11)</b> 5:5;15:12;33:23; 36:6,17;40:16,21; 41:23,24;69:7;117:4	<b>21 (2)</b> 39:15;59:5
<b>whole (2)</b> 16:4;19:12		<b>writing (2)</b> 19:17;120:22	<b>10:30 (1)</b> 69:7	<b>21st (1)</b> 58:24
<b>who'll (1)</b> 167:6		<b>written (46)</b> 31:21;43:15;62:21, 22,23;63:1,17;64:4, 12,18;65:3,8;74:3; 78:10;80:18;81:11; 86:15;132:23,24; 136:21,21;137:3,18; 141:19;142:2,11,17; 143:10,12,14,15,17, 20;144:19,21,22,23; 145:24;146:8,15; 159:3,5,7,24;164:10, 16	<b>11 (7)</b> 27:10,10,10,10,11; 28:10,10	<b>22 (16)</b> 39:15;58:13;59:5; 127:10;128:19;130:2; 136:23;137:7;138:11; 142:18;151:21,23; 152:2,21,24;154:10
<b>who's (5)</b> 13:9;30:22;63:21; 82:24;88:13		<b>written (46)</b> 31:21;43:15;62:21, 22,23;63:1,17;64:4, 12,18;65:3,8;74:3; 78:10;80:18;81:11; 86:15;132:23,24; 136:21,21;137:3,18; 141:19;142:2,11,17; 143:10,12,14,15,17, 20;144:19,21,22,23; 145:24;146:8,15; 159:3,5,7,24;164:10, 16	<b>11:00 (1)</b> 72:7	<b>22nd (14)</b> 45:15;81:11,12; 86:20;87:6,15,17; 99:24;100:11,13; 102:8,10;105:8;152:2
<b>whose (1)</b> 151:7		<b>written (46)</b> 31:21;43:15;62:21, 22,23;63:1,17;64:4, 12,18;65:3,8;74:3; 78:10;80:18;81:11; 86:15;132:23,24; 136:21,21;137:3,18; 141:19;142:2,11,17; 143:10,12,14,15,17, 20;144:19,21,22,23; 145:24;146:8,15; 159:3,5,7,24;164:10, 16	<b>130 (1)</b> 1:14	<b>24th (11)</b> 99:23;100:1,12; 102:9;105:1,5,9,12; 151:19;152:5,9
<b>widespread (1)</b> 38:7		<b>written (46)</b> 31:21;43:15;62:21, 22,23;63:1,17;64:4, 12,18;65:3,8;74:3; 78:10;80:18;81:11; 86:15;132:23,24; 136:21,21;137:3,18; 141:19;142:2,11,17; 143:10,12,14,15,17, 20;144:19,21,22,23; 145:24;146:8,15; 159:3,5,7,24;164:10, 16	<b>13-year (1)</b> 36:11	
<b>William (3)</b> 6:4;34:17;36:9		<b>written (46)</b> 31:21;43:15;62:21, 22,23;63:1,17;64:4, 12,18;65:3,8;74:3; 78:10;80:18;81:11; 86:15;132:23,24; 136:21,21;137:3,18; 141:19;142:2,11,17; 143:10,12,14,15,17, 20;144:19,21,22,23; 145:24;146:8,15; 159:3,5,7,24;164:10, 16	<b>14202-2465 (1)</b> 1:15	
<b>Williamsville (12)</b> 33:25;34:3,4;54:21; 55:11,14,17;57:23,24; 58:1;127:10;128:8		<b>written (46)</b> 31:21;43:15;62:21, 22,23;63:1,17;64:4, 12,18;65:3,8;74:3; 78:10;80:18;81:11; 86:15;132:23,24; 136:21,21;137:3,18; 141:19;142:2,11,17; 143:10,12,14,15,17, 20;144:19,21,22,23; 145:24;146:8,15; 159:3,5,7,24;164:10, 16	<b>17 (1)</b> 1:15	
<b>willing (3)</b> 17:10;29:2;167:4		<b>written (46)</b> 31:21;43:15;62:21, 22,23;63:1,17;64:4, 12,18;65:3,8;74:3; 78:10;80:18;81:11; 86:15;132:23,24; 136:21,21;137:3,18; 141:19;142:2,11,17; 143:10,12,14,15,17, 20;144:19,21,22,23; 145:24;146:8,15; 159:3,5,7,24;164:10, 16	<b>18 (1)</b> 167:22	
<b>window (19)</b> 74:6,16;75:23;76:2; 77:24;78:22;79:9,13, 14,25;80:1;81:14; 82:4;83:10;136:12;		<b>written (46)</b> 31:21;43:15;62:21, 22,23;63:1,17;64:4, 12,18;65:3,8;74:3; 78:10;80:18;81:11; 86:15;132:23,24; 136:21,21;137:3,18; 141:19;142:2,11,17; 143:10,12,14,15,17, 20;144:19,21,22,23; 145:24;146:8,15; 159:3,5,7,24;164:10, 16		

<b>25 (2)</b> 41:9;95:2 <b>25th (1)</b> 142:18 <b>26th (14)</b> 111:12;112:22; 116:11;154:12,13,15; 155:9,11,22;156:5,12, 19;161:5,8 <b>29 (9)</b> 96:18;105:1;111:7; 148:13;151:23; 152:20;161:11;162:1, 7	116:10;148:12; 151:21,23;152:9,21, 24;155:10;160:18; 161:4,10,14;164:20	<b>9th (2)</b> 81:7,9		
<b>3</b>	<b>5</b>			
<b>3 (12)</b> 1:14;18:12;37:2,5; 41:25;64:7;65:24; 67:9;96:18;116:18; 123:7;125:18 <b>3:24 (1)</b> 90:22 <b>30 (12)</b> 22:5;46:4;115:12; 149:17,20,21,21,25; 150:3;161:22,24; 162:1 <b>300 (1)</b> 33:3 <b>30-page (1)</b> 22:5 <b>30th (1)</b> 45:14 <b>35 (2)</b> 46:4;115:13	<b>5 (13)</b> 21:12,14,16;37:6; 77:2,5;90:23,25;97:5, 12;102:22;111:25; 135:7 <b>5,000 (1)</b> 20:15 <b>5:30 (2)</b> 111:25;166:2 <b>5:45 (1)</b> 10:18 <b>5:56 (1)</b> 167:21			
	<b>6</b>			
	<b>6 (11)</b> 10:11,14,15,17; 11:1;21:13;77:2,5; 109:10;110:15; 142:23 <b>6:00 (1)</b> 23:2 <b>60 (2)</b> 24:13,15 <b>630 (1)</b> 1:15 <b>6th (2)</b> 111:15;154:10			
<b>4</b>	<b>7</b>			
<b>4 (6)</b> 11:3;89:4;90:6,16; 131:25;133:22 <b>4:00 (4)</b> 41:6;46:7;117:3; 119:23 <b>4:33 (1)</b> 119:23 <b>40 (5)</b> 24:17,24;111:14; 154:16;161:9 <b>44 (1)</b> 95:15 <b>45 (3)</b> 111:14;154:16; 161:9 <b>46 (2)</b> 95:5;96:15 <b>49 (1)</b> 96:1 <b>4th (21)</b> 35:8;105:15,18; 110:4,5;111:4,4,19;	<b>7 (7)</b> 109:10;110:14,15; 136:23;137:7;138:11; 151:16 <b>7th (3)</b> 65:15,19;67:23			
	<b>8</b>			
	<b>8 (5)</b> 18:10,11,12;37:5; 116:17 <b>8:00 (1)</b> 63:6			
	<b>9</b>			
	<b>9 (18)</b> 10:13,15;21:12,13, 14,16;43:9,10,12,16, 17;44:2,4,11,11,13, 14;58:12 <b>9:00 (2)</b> 167:15,23			